LEGISLATIVE MANUAL

COLORADO 1877

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THE

LEGISLATIVE MANUAL,

—OF THE—

STATE OF COLORADO,

—COMPRISING—

THE HISTORY OF COLORADO, ANNALS OF THE LEGISLATURE, MANUAL OF CUSTOMS, PRECEDENTS AND FORMS, RULES OF PARLIAMENTARY PRACTICE, AND THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF COLORADO.

—ALSO—

CHRONOLOGICAL TABLE OF AMERICAN HISTORY, LISTS AND TABLES FOR REFERENCE, BIOGRAPHIES, ETC.

THOMAS B. CORBETT.

FIRST EDITION.

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PREFACE.

The first edition of the COLORADO LEGISLATIVE MANUAL is herewith presented. While designed for the use of the General Assembly, it cannot fail to interest all classes—the lawyer, the merchant, the aspirant after political honors, and even the young who are ripening into manhood and soon to share its grave responsibilities. It contains information which cannot be elsewhere acquired without a great expenditure of time and patience, in the examination of records, the reconciliation of numerous discrepancies, the supplement of omissions and the correction of errors. The pre-State history is necessarily brief. Sketches of prominent characters, and comments on events and the acts of individuals are not introduced, for the reason that the period of the narrative should be removed some distance from the present age to secure the historian from undue prejudice and partiality. The settlement of Colorado, now a flourishing State, began scarcely twenty years ago. A sense of propriety, therefore, demands that only a plain, accurate and truthful statement be made of what occurred in connection with that settlement. In the preparation of the Legislative Annals, much labor and care have been expended. The Annals are as complete and correct as it was possible to make them, considering the removals of members from the Territory, the inaccuracy of the records and the imperfection of the journals. To the novice in legislation, the Manual of Customs, Precedents and Forms will prove of great value. I have sought, and indeed have spared no pains nor expense, to make this an improvement upon all other Legislative Manuals yet published.

This Manual will be published *biennially* with such changes as circumstances may require, and such improvements as experience may suggest. That I am anxious to receive the commendation of an appreciative public, I do not deny, and hope that their fullest sympathy with my effort in this direction will be freely accorded. It is a satisfaction to know, and should beget a praiseworthy pride, that Colorado is not

behind any of the oldest, most populous and wealthy States in the character, style and completeness of this publication.

It gives me great pleasure to confess, that from the inception to the completion of this work, I have received much kind and cordial assistance. My warmest thanks and acknowledgments are extended to Robert Berry and William W. Webster, experienced legislators, for their good offices and valuable help. The courtesies of Judge Amos Steck, whose memory of facts, dates and persons deserves special mention, and the kindness of O. J. Goldrick, editor and proprietor of the *Rocky Mountain Herald*, are here gratefully acknowledged.

Trusting that this work will meet the expectations of the General Assembly, and State at large, I respectfully submit it to their judgment.

T. B. C.

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HISTORY OF COLORADO.

CHAPTER I.

On April 3d of the year 1803, Napoleon Bonaparte, First Consul of France, for the sum of $16,000,000, ceded to the United States, then under the presidency of Thomas Jefferson, all that vast territory entitled the Province of Louisiana. The province extended from the possessions of New Spain on the south, to the boundary line of the British possessions on the north, and had the magnificent Mississippi river on the one side, and the great Pacific Ocean on the other. At the close of the Mexican war, in 1848, by the treaty of Guadalupe Hidalgo, for the sum of $15,000,000, all New Mexico and Upper California—a region extending from the Rocky Mountains to the Pacific, and containing about 500,000 square miles—was ceded to the United States. This immense domain, thus acquired by purchase from France and Mexico, has been occupied by an intelligent and enterprising population, and divided into states and territories, each an empire in its dimensions, and has been cultivated, developed, and embellished by all the arts and inventions of the most progressed civilization. One portion of this domain is Colorado, destined by her position, resources and climate to enjoy an immortal precedence among the States of our great Republic.

Before the year 1858 very little was known of Colorado. It is recorded, with some apparent truth, that a large force of Spaniards and Indian allies, led by Coronado, a Spanish military captain, having for their object the discovery of gold, had, about the middle of the sixteenth century, penetrated to this section of the Rocky Mountains. The expedition, after incredible hardships, returned without the golden treasures, for which they had ventured so far and suffered so much.

Soon after the transfer of the Louisiana province, and the establishment of the United States authority therein, it was determined at Washington to ascertain the nature of the country, the sources of its large rivers and the general character of the climate. Accordingly, in the summer of 1806, a small expedition was equipped, and dispatched

under the command of Lieutenant Zebulon M. Pike, who, for his skillful services, was, on his return, promoted to the rank of major. On the 15th of November, Major Pike and his small company beheld the prominent and stately mountain which, in honor of the commander, was named Pike's Peak. Major Pike, in his diary, thus refers to this peak: "This mountain was so remarkable as to be known to all the savage nations for hundreds of miles around, and to be spoken of with admiration by the Spaniards of New Mexico, and was the bounds of their travels north-west." Directing his march with the course of the mountains, Major Pike continued his explorations. Failing to discover the object of his search—the source of the Red River—he retraced his steps, and proceeded in a south-westerly direction. Determined to find the head-waters of that important stream, and unconquered by the fearful severities of winter in the midst of the mountains, the little party of explorers pursued their way. Their discoveries were, however, brought to a close by an untoward event—the capture of the whole party by the Spaniards, who held a military post in the San Juan country. This arrest would hardly have occurred had the boundaries between New Spain and Louisiana been definitely known.

In the year 1819 another and larger expedition was prepared, and ordered to explore this section of the Rocky Mountains. The party engaged in this enterprise had advanced a considerable distance into the Indian country without molestation, when its further progress was checked by the loss of their horses, which had been stolen by the Pawnee Indians. This mischance detained the expedition for a whole year. In June, 1820, Col. S. H. Long, the commander, all losses having been repaired, resumed his march. Early in the summer they reached the South Platte, and followed its course until the mountains came in sight. The massive giant peak, which stood out boldly and grandly before them, was, in honor of Col. Long, called Long's Peak. Col. Long made a careful examination of the mountains from Long's Peak to Pike's Peak, and of the plains lying along their base.

A very full exploration of the Rocky Mountains was made, in 1832, by Captain Bonneville, who commanded a party fitted out by the American Fur Company.

The most effective expedition hitherto equipped by the Government, for purposes of exploration, was commanded by Col. Fremont, and set out in 1842. Upon his arrival at the South Platte, he sent the larger portion of his force to Fort Laramie, a post of the American Fur Company. With the rest of his command he advanced to Fort St. Vrain, an Indian trading post, situated seventeen miles east from Long's Peak, and one hundred miles north from Pike's Peak. From

this point he journeyed northward, exploring the country beyond the limits of Colorado.

Another band of explorers, conducted by Col. Fremont, camped at Fort St. Vrain in July, 1843. This party made accurate surveys of the regions known as north and south of the Divide—an elevated ridge, separating the Arkansas and Platte valleys; crossed and recrossed the range, ascertained many valuable facts, and mapped out the main geographical features of Colorado. But, so far, none of these explorers, nor any of the white inhabitants, mostly occupied in trading, trapping and hunting, had made any discovery of the vast mineral wealth now known to exist in this portion of the Sierra Madre mountains.

As the limits of Kansas formerly embraced a large part of what now constitutes Colorado, a brief summary of the early history of Kansas is essential. The territory of Kansas was organized on the thirtieth day of May, 1854. Then began her pupilage under the guardianship of Congress. In theory, the relation of a territory to the national government is that of a child to its parent. It is supposed to be under discipline and training, by which it will, in due time, be fitted to discharge the high and important duties incident to statehood. Kansas, it seems, was an unruly ward, and caused much trouble and anxiety to her guardian. In the Organic Act of the territory it was prescribed that the Constitution and all the laws of the United States should be in full force and effect, except the Missouri Compromise Act of 1820, which was declared to be inoperative and void in that territory. The Missouri Compromise, thus partially rescinded, opened the way for a pro-slavery and an anti-slavery agitation. Anti-slavery colonies from New England, and pro-slavery colonies from the Southern States, came to settle in the new territory of Kansas. Confusion, riot, and bloodshed soon followed. This unhappy state of affairs continued until the adoption of a State constitution prohibiting slavery. This important event occurred December 6th, 1859. From that time peace and order reigned On January 29th, 1861, an Act for the admission of Kansas into the Union as a state, passed both Houses of Congress. On February 26th, 1861, Congress divided the new state, and organized the western portion into a territory bearing the name of Colorado.

We have seen that Kansas became a territory in 1854. From that year until 1858 no one authorized to represent the territory of Kansas appeared within the present limits of Colorado. The inhabitants before this time, beside the employees of the American Fur Company and a few independent trappers, hunters, and Indian traders,

consisted of a scattered population of Pueblos and Mexicans, mostly engaged in stock raising in the vicinity of the Raton Mountains, and the roving tribes of savages. The Indian traders, among whom were Lieutenant Lupton and Vigil St. Vrain in the north, and Colonels Boone and Bent in the south, had erected small forts to shield them from the savages. The junction of the Fontaine qui Bouille with the Arkansas was a favorite winter rendezvous for the trappers and hunters, among whom was the famous Kit Carson. In 1854, the Ute Indians massacred, in one night, all who had assembled at this resort. Hitherto the protection of Kansas power and law had never been invoked, nor had the needs of the scanty and motley population occupied the attention of the Kansas government. In 1852 a party of Cherokee Indians, on their way from Georgia to California, discovered gold on the banks of a small stream tributary to the South Platte. On their return journey they showed the gold and reported the place of discovery. Exciting rumors of gold found in large quantities in the Rocky Mountains, inflamed thousands with the desire to reach and possess the open treasures. The first train of prospectors, led by W. Green Russell, Esq., started from Georgia. As they passed through Missouri and Kansas, the gold fever influenced many to leave home and competency for the distant plains and mountains teeming with riches. The Georgians took up their position where Denver now stands, and thoroughly prospected Cherry Creek from its mouth to its source, but as their labors were poorly rewarded, they gave the Platte, of which Cherry Creek is a tributary, a fair trial for six or seven miles south. Much disappointed, they set out for the North Platte and Green River regions, but faring worse, returned to their first location, and were made happy by larger returns for their labor. The first Kansas party built their camp fires near the present site of Pueblo. As the news of gold discoveries sped across the continent, a strong tide of emigration set in to the Pike's Peak country. Strings of wagons and troops of men, in constant succession, kept crossing the great plains, anxious, as they toiled on, to catch a glimpse of the blue outlines of the mountains, where fortune stood waiting to enrich the hardy adventurers. From all parts, and embracing all characters, poured in the earnest crowd, all animated by a common hope of attaining sudden wealth.

J. W. Denver, after whom Denver, the present capital of Colorado, was called, was then governor of Kansas territory. But neither he, nor his successor Medary, nor even Robinson, elected State governor December 6th, 1859, could give scarcely any attention to occur-

rences in the distant Pike's Peak gold regions. Their thoughts and time were almost entirely engrossed by political events at home.

On the banks of the Platte, near the present Younker ranch, some of the Kansas company, who had camped on the Arkansas, with others, began to erect a number of log cabins. These were soon completed, and the name of Montana City was applied to the settlement. In these cabins a large party of prospectors spent the winter. On the 24th of September, a party of nine selected the east side of Cherry Creek, near its mouth, for a town site, and agreed to lay out 640 acres for that purpose. The peculiar and pious name of St. Charles was given to it, but no steps were taken to survey and plot the town or put up buildings, unless a few logs crossed together, with an old wagon cover for a roof, might be designated a house. Another company chose the west side of Cherry Creek for a town site, and in the latter part of October proceeded to construct some log cabins. These, and a number of others used as stores, were built, and the town called Auraria, from a small mining town in Georgia. The prospects of this new enterprise soon became encouraging, while Montana City in time lost its inhabitants, and its tenements went to ruin. A town company, composed mainly of Kansas citizens, on November 17th, 1858, took possession of the deserted St. Charles town site. Steps for the erection of cabins were immediately taken in order to secure the right of pre-emption. By New Year's Day Denver had twenty and Auraria forty cabins. Up to this time the settlements contained only three white women. In the fall of 1859, a warm rivalry existed between Auraria and Denver. This was manifested in every issue, and continued until the consolidation of Denver and Auraria in 1860. The first inhabitants of Boulder came to that section October 17, 1858. In the summer of 1859 settlements were made in South Park. In the autumn months of 1859 Mountain City, Boulder, Russellville, Colorado City, Golden and Arapahoe became large settlements.

As the population increased, protection of life and property was felt as the special need. Animated, therefore, by a common desire to establish security, prevent and punish crime, the new settlers called a public meeting. The meeting was held November 6, 1858, in the settlement of Auraria, containing at that time about 200 inhabitants. The assembly, though composed of immigrants from different states, acted as citizens of Kansas territory. Out of the Pike's Peak country, as that part of the Rocky Mountains, and the plains around their base, were called, they formed a county, defined its limits, and named it Arapahoe, from a neighboring tribe of Indians. They also declared

Auraria to be the county seat. They then proceeded to elect a delegate to Congress and a representative to the Kansas Legislature. H. J. Graham was chosen delegate, and A. J. Smith representative. This action of the assembly manifested a rare spirit of enterprise in politics. They declare a district of Kansas to be a county, and depute one of their number to the legislature with credentials of his election, and petitions that the county be established, and their representative be received. At the same time a delegate is dispatched to Congress with instructions to have the county converted into a territory. The delegate of *Kansas* Territory would be duly recognized and admitted to a seat in Congress. But to the delegate of Arapahoe county no such recognition or position would be tendered. His labors would be confined to the advocacy of the petitions and claims of the people he represented before committees, or with individual members of the House or Senate. Nevertheless, Mr. Graham hurried to Washington, impelled by the delusive hope that his mission would be successful, and that he would enjoy the honors and emoluments of territorial delegate. The people of Arapahoe county were 700 miles distant from Leavenworth, the capital of Kansas, without railroads or telegraphs, and with immense uninhabited plains lying between them and the territorial authorities. They, therefore, naturally desired to have the territory of Kansas divided, and the western part organized into a new territory. This arrangement, if consummated, would place the country on a stable footing. Peace and order would be maintained, the general prosperity promoted, while Congress and the nation would be directly acquainted with the growth, prospects and necessities of the country. Mr. Graham exerted himself to prevail on Congress to respect the petition of his constituents, but his efforts proved unsuccessful. Their representative, A. J. Smith, succeeded in his mission, had Arapahoe county confirmed, but was not admitted as a member of the Kansas legislature.

During the winter of 1858 the population was only slightly increased. The settlements were governed by local laws, devised and adopted by the people, and these laws were executed by a Probate judge and other officers, of the people's appointment. The first election of Arapahoe county officers, under Kansas laws, was held March 28, 1859. Over 700 votes were polled, of which 231 were credited to Auraria and 144 to Denver. The spring months brought a great increase to the mining population. From authentic sources it has been computed that, during the summer, the Pike's Peak gold regions contained 20,000 souls. An established and accessible government became indispensable. The subject pressed itself more and more

urgently on the public mind. Their first attempt, in 1858, to impress Congress favorably with the necessities of their situation, had proved abortive. But a profound sense of their needs moved them to renew their efforts to prevail on Congress to consummate a partition of the territory of Kansas, and to establish a separate government in this distant but populous region. A mass meeting was called, to convene in Auraria, April 11th, 1859. In the resolutions adopted, it was expressed as the unanimous sentiment of the meeting, that a separate and distinct government was not only important but necessary. By these resolutions, also, the several precincts of Arapahoe county were requested to choose delegates, to meet in joint convention on the fourth day after the meeting, April 15th, to consider the question of organizing a new state or territory. On the day appointed the delegates met. In order to save time and determine quickly, they pursued an eminently judicious course. They resolved on one subject of debate, and only one: "The formation of a new and independent state of the Union." It must be remembered that Kansas, at this time, was only a territory, though pressing her claims for recognition and admission as a State. Thus early, and prematurely, as facts subsequently proved, did the people, who crowded into this new country, seek for the honors and privileges of statehood. While these delegates were in session, or shortly after, the *Rocky Mountain News*, the pioneer journal of Colorado, issued its first edition, April 23d, 1859. This Auraria convention, as a summing up of their labors, ordered a general election of delegates on the second Monday in May, to meet on the first Monday in June. At the time designated fifty delegates assembled. As in the April convention, only one subject, it seems, engaged their deliberations—the attainment of statehood. The work of drafting a constitution was entrusted to eight committees, in order to economize time and secure a complete instrument. The committees were requested to report, and submit their labors to a fuller convention, which was enjoined to meet on the first Monday in August. In the interval the several committees prepared their work. When the convention, which consisted of one hundred and sixty-seven delegates, met, the committees presented their reports. A constitution was completed, and arrangements made for its acceptance or rejection by the votes of the people. Though some members of the convention were sanguine of success, the majority thought that the result would be adverse, and sought to provide against such a contingency. The day set for voting on the constitution and movement for a state, was the first Monday in September. The convention therefore resolved that should the constitution be rejected, a delegate to Congress should be elected on the

first Monday in October. The delegate would represent Jefferson Territory—the name given by the convention to Arapahoe county, or Pike's Peak gold regions. On September 4th the votes for or against the constitution were cast, and resulted in 2,007 against, and 649 for, that instrument. A short time (about ten days) before the October election, it was proposed, at a mass meeting held in Auraria, that on the day a delegate to Congress was elected, delegates should be chosen to form a Provisional Territorial Government. The proposition was adopted. Accordingly, on the first Monday in October this double election took place.

The governor of Kansas, in 1859, had issued a proclamation that Arapahoe county be established, and that a representative be elected. The Arapahoe county election for Kansas officials was therefore also held. Captain Richard Sopris was elected representative, and was the first member from Arapahoe county admitted to a seat in the Kansas legislature. An event, worthy of relation, is the arrival of the Leavenworth and Pike's Peak express, May 17th, 1859. This assured direct communication with the capital of Kansas, and thence with all the States. It was a day of congratulations, and one to be remembered. Another noticeable matter of record is the visit of Horace Greeley, editor of the *N. Y. Tribune*, who witnessed, with extraordinary interest the operations of gold mining. A letter, to which he attached his own signature, was published June 6th, 1859. This letter set forth in strong language the large returns of the mines and placer diggings. As a consequence, another immigration that fall largely increased the population.

At the October election above mentioned, B. D. Williams was chosen delegate to Congress. He was the exponent of the August convention, and entrusted with the mission to memoralize Congress to separate the Pike's Peak region from Kansas, and organize it into a territory under the name of Jefferson. The other delegates chosen were instructed to form a Provisional Government. Eighty-six delegates met in convention. They entered upon their duties with great earnestness. A new constitution, called the "Organic Act of the Territory of Jefferson," was framed and adopted. Other important measures received their approval. The territory was divided into legislative districts. A full state ticket was nominated, and an election ordered for the fourth Monday of October, the same month in which they had been elected, had convened, had acted. The election took place; 2,000 votes were cast in twenty-seven precincts. The Provisional Government was adopted, a full corps of legislators chosen, and, indeed, all but one of the entire ticket elected. The purpose of

the parties who had determined on a Provisional Government ran swift to its fulfillment. The legislature thus suddenly and questionably brought into existence, met and began their session. The message of the governor, R. W. Steele, was received with the usual formalities, and the session was passed in diligent legislative labors. Many general and special laws were enacted; nine counties were organized; a poll-tax of one dollar was imposed, and a committee appointed to report full civil and criminal codes to an adjourned session, January 23d, 1860. In each of the nine newly organized counties the governor appointed a Probate Judge, to hold office until the regular county election on the first Monday in January, 1860. The legislature met pursuant to adjournment, and for the remainder of the session devoted their attention to the report of the committee. Full civil and criminal codes were finally adopted. An *imperium in imperio* was now fairly established. Right in the midst of the Kansas Government stood the Provisional Government. The first resistance to the authority of the latter, and protest against its legality, arose from the Arapahoe county officials, who were elected according to Kansas territorial law, and were, therefore, beyond a doubt, legal. Besides this, a remonstrance against the per capita tax, signed by seven hundred miners, was sent down from the mountains. In the valley, therefore, the Kansas and the Provisional governments held divided sway; and in the mountains the Miners' Courts and the Provisional Government contended for the mastery. Golden was the only settlement that wholly submitted to the Provisional Government. In truth, the authority of the Kansas officials was never fairly recognized, and they soon ceased to have even a nominal existence.

From 1858 to some time in 1861, two kinds of courts existed in the Pike's Peak region, whose decisions were final. These were called the People's Courts and the Miners' Courts. The People's Courts were improvised assemblies of the people, who convened to adjudicate criminal cases, such as murders, homicides, and other felonies. They were usually presided over by a probate judge or justice of the peace. The extreme penalties were hanging, lashes on the bare back, and banishment. The Miners' Courts were differently organized. Pursuant to a general call, all occupying a mining district met together. They fixed the limits of their district, adopted a miners' code, defined the duties of officers, and elected them for the ensuing year. A president, judge, sheriff, collector, surveyor, and recorder, who was *ex officio* treasurer and secretary of the district, composed the officers of the court, who were all responsible to the superior tribunal, the Miners' Meeting. These courts settled all claims and offences in min-

ing districts. When a case was not settled in the courts, it was carried to the Miners' Meeting. There was no appeal from their decision. The courts organized under the Provisional Government were respected by the people, and their decisions accepted with general satisfaction. In Denver and some other places the People's Courts alone were recognized.

The year 1860 witnessed great activity in mining throughout the mountains. April 3d, 1860, Denver and Auraria, by mutual agreement of the citizens, were consolidated. During this year the celebrated Consolidated Ditch, constructed for mining uses, was completed. In the fall of 1860 Edward M. McCook was elected representative to the Kansas legislature. It is certain that no bills were passed for the benefit of his constituents, who formed a very small minority of the people, and it is a matter of doubt whether he received more than his mileage. On New Year's Day, 1860, Denver had two hundred and Auraria four hundred houses, with a combined settled population of one thousand. At the close of 1860 it was estimated that sixty thousand people, chiefly transient, were in the Pike's Peak country, and the population in and around Denver, four thousand.

The Pony Express, which started simultaneously from St. Joseph, Missouri, and Sacramento, California, April 9th, 1860, and which was conceived and made a success by the bold enterprise of W. H. Russell, Esq., was an event of unusual consequence to the whole nation. Telegrams from New York, by this conveyance, were delivered in San Francisco in eight days and four hours, and letters from San Francisco reached St. Joseph, Missouri, in eight days and nine hours. The great Pacific Mail Steamship Company had, for about ten years, held the contract for the transportation of the U. S. mails. This service realized a million dollars annually. By this line the transit of the mails took twenty-three days. But this achievement of the pony express, reducing the time to eight days and nine hours, induced the government to change the route for the Pacific mails. The contract was given to Butterfield, who sub-contracted to W. H. Russell, through whom the Pike's Peak gold regions soon had ample mail facilities. On May 1st, 1860, began the publication of the *Rocky Mountain Herald*, daily edition, whose racy columns drew an encouraging patronage. In August, 1860, the first mail service was extended to the mountains. During this year, considering the number of lawless and reckless men congregated in this new country, comparatively few crimes were committed. The criminals guilty of murder were tried by a People's Court, sentenced, and hanged. During the summer months Denver was overrun by a crew of desperadoes

and robbers, who, if resisted, did not hesitate to use any violence. They assailed the office of the Denver *News*, and forcibly, with intent to kill, abducted the editor for his unsparing condemnation of their outrages. But the career of one of them was ingloriously terminated, being shot down by the citizens, and the fate of others speedily determined by the People's Courts. The rest hurried away to other parts, where justice did not follow the offender so surely and so swiftly. In the mountains crimes, at first frequent, soon almost disappeared, owing to the vigilance and prompt action of the Miners' Courts. At Washington the Congressional delegate indefatigably pressed the petitions of the people, and urged the necessity of immediately organizing a territory. Thus 1860 passed.

The next year, so full of great events, brought the desired relief. On the 26th of February, 1861, a bill passed Congress designating the boundaries of the new territory of Colorado, which embraced portions of Kansas, Nebraska, and Utah, and providing for its political organization and administration. The news of this important event was received with great demonstrations of joy.

CHAPTER II.

ORGANIC ACT.

AN ACT TO PROVIDE A TEMPORARY GOVERNMENT FOR THE TERRITORY OF COLORADO.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, viz: commencing on the thirty-seventh parallel of north latitude, where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on said meridian to the forty-first parallel of north latitude; thence along said parallel west to the thirty-second meridian of longitude west from Washington; thence south on said meridian to the northern line of New Mexico; thence along the thirty-seventh parallel of north latitude to the place of beginning; be and the same is hereby erected into a temporary government by the name of the Territory of Colorado: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jnrisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the territory of Colorado, until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the government to make, if this act had never passed: *Provided further*, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more territories, in such manner and at such times as Congress

shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be Commander-in-Chief of the militia thereof, shall perform the duties and receive the emoluments of Superintendent of Indian Affairs, and shall approve all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offenses against the laws of said Territory, and reprieves for offenses against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted*, That three shall be a Secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor, in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate for the use of Congress. And in case of the death, removal, or resignation, or other necessary absence of the Governor from the Territory, the Secretary shall have, and is hereby authorized and required to execute and perform, all the powers and duties of the Governor during such vacancy or necessary absence, or until another Governor shall be duly appointed to fill such vacancy.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. An apportionment shall be

made, as nearly equally as practicable, among the several counties or districts for the election of the Council and House of Representatives, giving to each section of the Territory representation in the ratio of its population (Indians excepted) as nearly as may be; and the members of the Council and House of Representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places, and be conducted in such a manner as the Governor may direct; and he shall, at the same time, declare the number of the members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said Council districts for members of the Council shall be declared by the Governor to be duly elected to the Council; and the person or persons authorized to be elected having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be elected members of the House of Representatives: *Provided*, That in case of a tie between two or more persons voted for, the Governor shall order a new election, to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning and representation in the several counties or districts to the Council and House of Representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular session of the Legislative Assembly; *Provided*, That no session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

SEC. 5. *And be it further enacted*, That every free white male citizen of the United States, above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, including those recognized as citizens by the treaty with the Republic of Mexico, concluded February two, eighteen hundred and forty-eight, and the treaty negotiated with the same country on the thirtieth of December, eighteen hundred and fifty-three, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and

of holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no laws shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

SEC. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory. The Governor shall nominate, and by and with the advice and consent of the Legislative Assembly, appoint all officers not herein otherwise provided for; and in the first instance the Governor alone may appoint said officers, who shall hold their offices until the end of the first session of the Legislative Assembly, and shall lay off the necessary districts for members of the Council and House of Representatives, and all other officers.

SEC. 8. *And be it further enacted*, That no member of the Legislative Assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

SEC. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probate Courts, and Justices of the Peace. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years; the said Territory shall be divided into three judicial districts, and a District Court shall be held in each of said districts by one of the Justices of the Supreme

Court at such time and place as may be prescribed by law; and the Judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate Courts and of the Justices of the Peace, shall be as limited by law: *Provided*, That Justices of the Peace and Probate Courts shall not have jurisdiction of any matter in controversy where the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said Supreme and District Courts, respectively, shall possess chancery as well as common law jurisdiction; and authority for redress of all wrongs committed against the constitution or laws of the United States or of the Territory, affecting persons or property. Each District Court or the Judge thereof shall appoint its Clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said District Courts to the Supreme Court, under such regulations as may be prescribed by law; but in no case removed to the Supreme Court shall trial by jury be allowed in said Court. The Supreme Court, or the Justices thereof, shall appoint its own Clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said Supreme Court shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the Circuit Courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said District Courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of the said Territory, and the respective Judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the Judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws, and writs of error and appeals in all such cases shall be made to the Supreme Court of said Territory the same as in other cases. The said Clerk shall

receive in all such cases the same fees which the Clerks of the District Courts of Oregon received for similar services.

SEC. 10. *And be it further enacted*, That there shall be appointed an Attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the Attorney of the United States for the Territory of Oregon. There shall also be a Marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from said courts when exercising their jurisdiction as Circuit and District Courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the Marshal of the District Court of the United States for the Territory of Oregon, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 11. *And be it further enacted*, That the Governor, Secretary, Chief Justice, and Associate Justices, Attorney, and Marshal shall be nominated, and by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the District Judge, or some Justice of the Peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice, or some Associate Justice of the Supreme Court of the United States, to support the constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificate shall be received and recorded by the Secretary among the executive preceedings; and the Chief Justice and Associate Justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation, before the said Governor or Secretary, or some Judge or Justice of the Peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified and recorded in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and one thousand dollars as Superintendent of Indian Affairs; the Chief Justice and Associate Justices shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter yearly

at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the Governor, to defray the contingent expenses of the Territory. There shall also be appropriated, annually, a sufficient sum to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted*, That the Legislative Assembly of the Territory of Colorado shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly.

SEC. 13. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the Delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly.

SEC. 14. *And be it further enacted*, That when the land in the said Territory shall be surveyed, under the direction of the Government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each town in said Territory and be and the same are hereby reserved for the purpose of

being applied to schools in the States hereafter to be erected out of the same.

SEC. 15. *And be it further enacted*, That temporarily, and until otherwise provided by law, the Governor of said Territory may define the judicial districts of said Territory, and assign the Judges who may be appointed for said Territory, to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the Legislative Assembly, at their first or any subsequent session, may organize, alter or modify such judicial districts, and assign the Judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 16. *And be it further enacted*, That the Constitution and all laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said Territory of Colorado as elsewhere within the United States.

SEC. 17. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be and is hereby authorized to appoint a Surveyor General for Colorado, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the Surveyor General of New Mexico, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Approved February 28th, 1861.

AMENDMENTS TO THE ORGANIC ACT.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE A TEMPORARY GOVERNMENT FOR THE TERRITORY OF COLORADO."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act to which this act is an amendment, be altered so as to read as follows: The executive power and authority in and over said Territory of Colorado, shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be

commander-in-chief of the militia thereof, shall perform the duties, and shall receive the emoluments of Superintendent of Indian Affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offenses against the laws of the United States, until the decision of the President shall be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 2. *And be it further enacted*, That every bill which shall have passed the Legislative Assembly shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Assembly, by adjournment, prevents its return, it which case it shall not be law.

SEC. 3. *And be it further enacted*, That section nine of the act to which this act is amendatory be altered so as to read as follows: Section 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probare Courts, and Justices of the Peace. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory, annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a District Court shall be held in each of said districts by one of the Justices of the Supreme Court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and of Justices of the Peace, shall be as limited by law; *Provided*, That Justices of the Peace shall not have jurisdiction of any matter in controversy, when the title or boundaries of land may be in dispute, or when the

debt or sum claimed shall exceed three hundred dollars; and the said Probate Court shall not have jurisdiction in any matter in controversy, when the debt or sum claimed shall exceed the sum of two thousand dollars; and said Supreme and District Courts shall have authority for redress of all wrongs committed against the constitution and laws of the United States; and the said Supreme, District, and Probate Courts respectively, shall possess chancery, as well as common law jurisdiction, and authority for the redress of all wrongs committed against the laws of said Territory, affecting persons or property. Each District Court, or the judge thereof, shall appoint its clerk, who shall also be the Register in Chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception and appeals shall be allowed from the final decisions of said District and Probate Courts to the Supreme Court, under such regulations as shall be prescribed by law; but in no case remove to the Supreme Court, shall trial by jury be allowed in said court. The Supreme Court, or the justices, thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said Supreme Court shall be allowed, and may be taken to the Supreme Court of the United States in the same manner and under the same regulations as from the Circuit Courts of the United States, when the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of said Supreme and District Courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States, as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeals in all such cases shall be made to the Supreme Court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the Districts Courts of Oregon Territory received for similar services.

SEC. 4. *And be it further enacted*, That the provisions of sections

one and two of this act shall be applicable to the Territory of Dakota, and shall have like effect as in the Territory of Colorado.

Approved March 2, 1863.

AN ACT AMENDATORY OF THE ORGANIC ACT OF COLORADO TERRITORY.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the sessions of the Legislative Assembly of Colorado Territory shall be biennial. Members of the Council shall be elected for the term of four years, and members of the House for the term of two years, and shall receive the sum of six dollars per day instead of three dollars heretofore allowed, and shall also receive the same mileage now allowed by law.

SEC. 2. *And be it further enacted*, That each house shall have authority to elect, in addition to the officers now allowed by law, an enrolling clerk, who shall receive five dollars per day. The chief clerk shall receive six dollars per day, and the other officers elected by said Legislature shall receive five dollars per day each.

SEC. 3. *And be it further enacted*, That the members of the Legislative Assembly elected at the general election of said Territory in the year eighteen hundred and sixty-seven, shall compose the first Legislature under this act, and said Legislature shall meet at the time now fixed by law for the meeting of the Legislative Assembly of Colorado Territory.

Approved March 30th, 1867.

AN ACT TO REGULATE THE ELECTIVE FRANCHISE IN THE TERRITORIES OF THE UNITED STATES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, there shall be no denial of the elective franchise in any of the territories of the United States, now, or hereafter to be organized, to any citizen thereof, on account of race, color, or previous condition of servitude; and all acts or parts of acts, either of Congress or the Legislative Assemblies of said Territories, incon-

sistent with the provisions of this act are hereby declared null and void.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
LAFAYETTE S. FOSTER,
President of the Senate, pro tempore.

Endorsed by the President: Received on the 14th January, 1867.

[NOTE BY THE STATE DEPARTMENT.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress, in which it originated, within the time prescribed by the Constitution of the United States, has become a law without his approval.]

AN ACT AMENDATORY OF "AN ACT TO PROVIDE A TEMPORARY GOVERNMENT FOR THE TERRITORY OF MONTANA." APPROVED MAY 26th, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislative Assemblies of the several Territories of the United States shall not, after the passage of this act, grant private charters or especial privileges, but they may, by general incorporation acts, permit persons to associate themselves together as bodies corporate for mining, manufacturing, and other industrial pursuits.

SEC. 7. *And be it further enacted*, That from and after the first day of April next the salary of each of the judges of the several Supreme Courts, in each of the organized Territories (except Montana and Idaho), shall be two thousand five hundred dollars.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 2d, 1867.

AN ACT MAKING APPROPRIATIONS FOR THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL EXPENSES OF THE GOVERNMENT FOR THE YEAR ENDING THE THIRTIETH OF JUNE, EIGHTEEN HUNDRED AND SEVENTY.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * * * * That hereafter the members of both branches of the Legislative Assemblies of the several Territories shall be chosen for the term of

two years, and the sessions of the Legislative Assemblies shall be biennial; and each Territorial Legislature shall, at its first session after the passage of this act, make provision by law for carrying this act into effect.

Approved March 3d, 1869.

AN ACT REGULATING THE COMPENSATION OF THE MEMBERS AND OFFICERS OF THE LEGISLATIVE ASSEMBLIES OF THE SEVERAL TERRITORIES OF THE UNITED STATES, AND LIMITING THE DURATION OF THE SESSIONS OF SAID ASSEMBLIES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sessions of the Legislative Assemblies of the several Territories of the United States shall be limited to forty days duration.

SEC. 2. That the members of each branch of said Legislatures shall receive a compensation of six dollars per day during the sessions herein provided for, and they shall receive such mileage as now provided by law; *Provided*, That the President of the Council, and Speaker of the House of Representatives shall each receive a compensation of ten dollars per day, and that the additional officers of each branch of said Legislative Assemblies shall consist of one Chief Clerk, who shall receive a compensation of eight dollars per day, and of one Assistant Clerk, one Enrolling Clerk, one Engrossing Clerk, one Sergeant-at-arms, one Doorkeeper, one Messenger, and one Watchman, who shall each receive a compensation of five dollars per day during the sessions.

SEC. 3. That from and after the first day of July, eighteen hundred and seventy-three, the annual salaries of the Governors of the several Territories of the United States shall be three thousand five hundred dollars, and the salaries of the Secretaries of said Territories shall be two thousand five hundred dollars each.

SEC. 4. That the provisions of this act shall not apply to the District of Columbia; *Provided*, That no law of any Territorial Legislature shall be made or enforced by which any officer of a Territory herein provided for, or the officers or members of any Territorial Legislature shall be paid any compensation other than that provided by the laws of the United States.

Approved January 23, 1873.

CHAPTER III.

In 1861 the Kansas officials had disappeared. The Provisional government continued to exercise its partially acknowledged authority until the arrival of the United States appointees for the new Territory. These arrived on the 29th of May. The Federal officers, who then came, with their sealed commissions, were: William Gilpin, Governor; Lewis Ledyard Weld, Secretary; B. F. Hall, Chief Justice; S. N. Pettis, and Charles Lee Armor, Associate Justices; Copeland Townsend, Marshal; James E. Dalliba, Attorney General; F. M. Case, Surveyor General. The Provisional government now ceased. Its laws had been published, but not enforced, and its officers had the honor, but not the pay, of the positions they held.

Governor Gilpin was welcomed with undisguised pleasure. His greeting was a perfect ovation. The people now felt a new sense of security, for the strong arm of the General Government was in their midst. The Governor at once proceeded with commendable energy to discharge the functions of his high office. His first duty was to see the settlements of the Territory, and ascertain the character, condition and wants of the people. This visitation was accomplished with great celerity. Wherever the Governor went, the joy and hospitality of the people knew no bounds. Everywhere he was welcomed with bouquets, balls, congratulations. On his return to Denver, in accordance with his prescribed duty, a census was ordered. The returns exhibited a population of 25,329. The proportion of men to women was nearly five to one. The Governor, qualified July 8th, and was now in the full exercise of his authority. The other co-ordinate branch of Federal Government had now to be established. This was the United States Supreme Court. On July 10th, the Governor assigned the judges to their districts, and the Supreme Court immediately organized. On July 11th, he issued a proclamation, in which the Territory was declared to be one Congressional District, and the Congressional District to be divided into nine Council, and thirteen Representative Districts, and in which the election of a delegate to Congress, and of Legislative Assembly were ordered. The election was duly held on the 19th of August — Hiram P. Bennet was elected delegate to Con-

gress. The Legislature of the Territory of Colorado convened on the 9th of September. They adopted full civil, and criminal codes. They recognized the miners as authority in mining legislation, acknowledged the legality of their courts, adopted their laws, confirmed their decisions, and arranged for the transfer of cases to the regular courts, so that no jarring, nor inconvenience was experienced. Great praise is due to this legislative body for the laws they enacted, and though some have been found faulty, and others repealed, yet they have effectually served the needs of the Territory. When the rebellion had been in progress for several months, Gov. Gilpin issued a call for volunteers. Recruits quickly responded to the call, and the first regiment of Colorado infantry, under Col. John P. Slough, soon took the field. This infantry was transformed into a cavalry regiment, and did good service in repelling the Texan invasion early in 1862. During this year immigration received a strong impetus. It was computed that the daily arrivals, averaging one hundred, added in a short time ten thousand to the population as returned by the census. The city of Denver, including Auraria and Highland, was again incorporated in November, 1861. Among the industries, placer mining was most successfully prosecuted, California gulch alone yielding one million dollars.

In April, 1862, Dr. John Evans superseded Governor William Gilpin. The levy of the second regiment of Colorado cavalry was made this year, and the troops ordered to Missouri In 1863 they were consolidated with the third regiment raised in Colorado. This body of cavalry did effective service in Missouri, and in 1864 won considerable renown in the movements executed against Price in his last invasion. They took a prominent part in four battles, to wit: Mine Creek, Oct. 22; Westport, Oct. 23; Charlot, Oct. 25; Newtonia, Nov. 4. The quantity of gold obtained by gulch mining this year exceeded any previous yield. H. P. Bennet was re-elected delegate to Congress in September.

In the year 1863 began in the East the stupendous speculation in gold mines. The spirit of speculation had infected all classes of people, and financial schemes were quickly devised to draw millions from the public. Among these Colorado mines prominently figured. On the 19th of April Denver lost, by a severe conflagration, a sum estimated at a quarter of a million dollars. A branch telegraph line was completed from Julesburg to Denver in October, whereby telegraphic communication with the world was established. On the 7th of October a treaty was concluded with the Tabeguache band of Utah Indians, by which the Indian title to all of the settled portions of the mountains of Colorado, and most of the San Luis valley, was extinguished.

The year 1864 was the gloomy period of the rebellion. Speculation

became a mania. Stock companies of the most gigantic character were organized on the basis of Colorado gold mines. It need hardly be said that thousands lost large sums by reckless investments in gold mining stocks. In the spring the Indians of the plains, composed of Sioux, Cheyennes, and Arapahoes, combined to carry on a bloody and exterminating war against the whites. They attacked the coaches; murdered, scalped, and mutilated the passengers. Exposed dwellings were surrounded and the inmates massacred. Emboldened by little or no resistance, they admitted no pause to their savage butcheries. This thoroughly roused the people to punish the hostile fiends. Twelve hundred men, under the command of Col. J. M. Chivington, hurried forward to meet the merciless savages, and arrest their work of horrors. They found and suddenly assailed a large troop of Cheyennes, about seven hundred in number, and with hearts steeled against mercy, dealt swift retribution, sparing neither age nor sex, until nearly all were destroyed. This stunning blow checked the Indian outrages. A temporary quiet ensued, and the roads were again animated with coaches and wagon trains. Much credit is due to Captain Tyler, who, with his brave company, opened and protected the line of communication with the States. On May 19th, a more disastrous calamity befell Denver than the fire of the preceding year. An appalling flood swept down Cherry Creek, overwhelming large buildings, and sweeping them and their contents down its destructive current. Twenty persons perished in the ruthless waters. The damages were computed to be a million dollars. Near the close of the Thirty-eighth Congress, a bill was passed, in response to a petition of the Colorado Legislature, enabling the territory to organize a State government and enter the Union. Under its provisions a convention met in Denver July 4th, 1864, and framed a constitution. This was rejected by the people on the second Tuesday of October. In the fall of 1864, A. A. Bradford was elected delegate to Congress.

In 1865 the Indians renewed hostilities, apparently determined to force back immigration. All intercourse with the East was interrupted for a time. Business was paralyzed. Lonely ranches were invaded, and their occupants fiendishly massacred. This second outbreak of the Indians was effectually checked by United States troops. In the spring of this year all parties concurred in another attempt to organize a state. A convention met in Denver in August, and framed a constitution, which was adopted by a majority of 155. A State legislature, and the complement of State officers, were elected November 14th. Ex-Governor William Gilpin was chosen State Governor. Ex-Governor John Evans and Jerome B. Chaffee were chosen senators by

the legislature. Application for the admission of Colorado as a state was made during each session of the Thirty-ninth Congress. A strong disinclination to grant the application was manifested. An exigency, however, arose, which changed their disposition. The President, Andrew Johnson, had been impeached. The success of the impeachment was involved in doubt. To secure two senators and a representative, an enabling act was passed to admit the new state. The President, as might be expected, vetoed the bill. Governor John Evans was superseded by Alexander Cummings, who qualified October 19th.

In 1866 a reaction followed the prostration of trade and industry consequent upon the Indian outrages of the preceding year. An unwonted stimulus pervaded the territory. Mining pursuits were followed with fresh vigor. In Denver and other places building was carried on with unparalleled activity. Money became plentiful, and many laid the foundations of large fortunes. George M. Chilcott was elected delegate. Up to this time the bullion deposited in the mint amounted to 12,401,372 dollars, said to be less than half of the real yield.

On May 27th, 1867, A. C. Hunt superseded Governor Cummings. The struggle for statehood ended with the winter of 1867–8, when it was found impossible to pass the bill over the veto. In the fall the Denver Board of Trade was organized, which principally labored to initiate the enterprise of building a railroad to join the Union Pacific road at Cheyenne. Near the close of the year the Union Pacific road reached Cheyenne. The Denver Pacific Railway and Telegraph Company was incorporated November 18th, 1867. During this year the various interests of Colorado were ably represented at the Universal Exposition in Paris. The first gold medal was awarded to the minerals of Colorado. The French Government, moved by Colorado's display at the Exposition, appointed an Imperial Commissioner, who visited the territory and reported his observations therein for the benefit of capital and science in France. The Kiowas and Comanches, the Cheyennes and Arapahoes were removed to reservations bordering on Colorado and Kansas, where their southern boundary lines meet. By their treaties they stipulate to withdraw opposition to immigrants, settlers, and lines of railroad.

In 1868 A. A. Bradford was again elected delegate to Congress.

On June 15th, 1869, Edward M. McCook superseded Governor A. C. Hunt.

The Denver Pacific Railway Company had been formed in 1867. Its principal object, as stated in the articles of incorporation, was to build a railroad and telegraph line to Cheyenne, and there connect

with the Union Pacific road. After some delay the funds were secured, the construction of the road hastened, and on the 23d day of June, 1870, the first train arrived in Denver. On the 15th day of August, the Kansas Pacific Railway, 640 miles in length, was completed. In September, seventeen miles of the Colorado Central were finished. The connection of Golden with Denver was thereby effected. During this year successful efforts were made to plant colonies in choice sections of the Territory. The Meeker-Greeley colony was organized in New York in the winter of 1869–70, and located in the spring. It now has a population of 2,000, happy and prosperous, and distinguished by prohibition laws and devotion to temperance. The town site of the colony is a delta formed by the Cache-a-la-Poudre and South Platte rivers. The Chicago-Colorado colony is largely composed of Western men, and is animated by a liberal progressive spirit. The location of the colony is in every way most desirable. The energy and enterprise of the colonists excite great admiration. They have already a beautiful town, and a large extent of country under cultivation. The German colony may also be mentioned. It occupied Wet Mountain Valley, which lies in Pueblo and Fremont counties. Thus, by rapid transit, the Territory was brought into close communication with the States, and began to fill up with thousands, who, independently, or in co-operative association, settled for the purposes of agriculture. No sign so cheering as a settlement of a country by intelligent, enterprising farmers. Hardy, industrious miners had already crowded into the mountains, and skillful, energetic farmers now collected on the plains, intent to reap from them rich and abundant harvests. In the fall, Jerome B. Chaffee was elected delegate to Congress.

This year, 1871, dates the settlement of the Colorado Springs colony, distinguished for its rapid and prosperous growth. Situated seventy-five miles south from Denver, it became the temporary terminus of the Denver and Rio Grande railway, which was completed to that point during this year. The railroad has since passed on to Pueblo, and thence to La Veta, with branches to El Moro, and Canon City.

In 1872, Jerome B. Chaffee was re-elected delegate to Congress.

In 1873, a large immigration into the San Juan region commenced, owing to reports of rich mineral discoveries. S. H. Elbert superseded Gov. E. M. McCook. Following the custom of those removed from office, the ex-Governor proceeded to Washington to confer with the federal authorities, and in January, 1874, was re-appointed in place of Gov. Elbert. Severe and bitter editorials filled the columns of the press devoted to the fallen regime. A temporary division of the Re-

publican party ensued. A lively contest for political supremacy followed and continued until the usual period for an election to Congress, when the two sides of the party marshaled themselves, the one to rebuke and the other to sustain the administration. The malcontents not only turned the election against the Republican nominee, H. P. H. Bromwell, but gave a large and unprecedented majority to the Democratic nominee, Thomas M. Patterson. This change in the popular vote deeply touched the administration, and it was determined, in order to reconcile the disaffected, to remove the obnoxious appointments, and fill the federal offices with men not implicated in the controversy.

During the year 1874, the South Park railroad was finished to Morrison.

John L. Routt, the successor to Gov. McCook, qualified on March 29th, 1875. He set to work without delay to unite the discordant factions and succeeded. The people in general were now fully persuaded that the time had come for demanding the privileges of Statehood. The Republican delegate, Jerome B. Chaffee, had during the winter of 1874–5, drawn up an Enabling Act with much skill, and by persistent effort and untiring zeal, had, in the face of strong opposition, effected the passage of the bill. Before its passage the Act was amended so as to postpone the date of admission to July 4th, 1876.

CHAPTER IV.

AN Act to amend the Act entitled "An Act to enable the people of Colorado to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States," approved March 3, 1875.

ENABLING ACT.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of the Territory of Colorado included in the boundaries hereinafter designated be, and they are hereby, authorized to form for themselves, out of said Territory, a State government, with the name of the State of Colorado; which State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever, as hereinafter provided.

SEC. 2. That the said State of Colorado shall consist of all the territory included within the following boundaries, to wit: Commencing on the thirty-seventh parallel of north latitude where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on said meridian, to the forty-first parallel of north latitude; thence along said parallel west to the thirty-second meridian of longitude west from Washington; thence south on said meridian, to the thirty-seventh parallel of north latitude; thence along said thirty-seventh parallel of north latitude, to the place of beginning.

SEC. 3. That all persons qualified by law to vote for representatives to the general assembly of said Territory, at the date of the passage of this act, shall be qualified to be elected, and they are hereby authorized to vote for and choose representatives to form a convention under such rules and regulations as the governor of said Territory, the chief justice, and the United States attorney thereof may prescribe; and also to vote upon the acceptance or rejection of such constitution as may be formed by said convention, under such rules and regulations as said convention may prescribe; and the aforesaid representatives to form the aforesaid convention shall be apportioned among the several counties in said Territory in proportion to the vote polled in each of said counties at the last general election as near as may be; and said apportionment shall

be made for said Territory by the governor, United States district attorney, and chief justice thereof, or any two of them; and the governor of said Territory shall, by proclamation, order an election of the representatives aforesaid to be held throughout the Territory at such time as shall be fixed by the governor, chief justice, and United States attorney, or any two of them, which proclamation shall be issued within ninety days next after the first day of September, eighteen hundred and seventy-five, and at least thirty days prior to the time of said election; and such election shall be conducted in the same manner as is prescribed by the laws of said Territory regulating elections therein for members of the house of representatives; and the number of members to said convention shall be the same as now constitutes both branches of the legislature of the aforesaid Territory.

SEC. 4. That the members of the convention thus elected shall meet at the capital of said Territory, on a day to be fixed by said governor, chief justice, and United States attorney, not more than sixty days subsequent to the day of election, which time of meeting shall be contained in the aforesaid proclamation mentioned in the third section of this act, and, after organization, shall declare, on behalf of the people of said Territory, that they adopt the Constitution of the United States; whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said Territory: *Provided*, That the constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence: *And provided further*, That said convention shall provide, by an ordinance irrevocable without the consent of the United States and the people of said State, first, that perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship; secondly, that the people inhabiting said Territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States, and that the lands belonging to citizens of the United States residing without the said State shall never be taxed higher than the lands belonging to residents thereof, and that no taxes shall be imposed by the State on lands or property therein belonging to, or which may hereafter be purchased by the United States.

SEC. 5. That in case the constitution and State government shall be formed for the people of said Territory of Colorado, in compliance

with the provisions of this act, said convention forming the same shall provide, by ordinance, for submitting said constitution to the people of said State for their ratification or rejection, at an election, to be held at such time, in the month of July, eighteen hundred and seventy-six, and at such places and under such regulations as may be prescribed by said convention, at which election the lawful voters of said new State shall vote directly for or against the proposed constitution; and the returns of said election shall be made to the acting governor of the Territory, who, with the chief justice and United States attorney of said Territory, or any two of them, shall canvass the same; and if a majority of legal votes shall be cast for said constitution in said proposed State, the said acting governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances; whereupon it shall be the duty of the President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original States, without any further action whatever on the part of Congress.

SEC. 6. That until the next general census said State shall be entitled to one Representative in the House of Representatives of the United States, which Representative, together with the governor and State and other officers provided for in said constitution, shall be elected on a day subsequent to the adoption of the constitution, and to be fixed by said constitutional convention; and until said State officers are elected and qualified under the provisions of the constitution, the territorial officers shall continue to discharge the duties of their respective offices.

SEC. 7. That sections numbered sixteen and thirty-six in every township, and where such sections have been sold or otherwise disposed of by any act of Congress, other lands, equivalent thereto, in legal subdivisions of not more than one quarter-section, and as contiguous as may be, are hereby granted to said State for the support of common schools.

SEC. 8. That, provided the State of Colorado shall be admitted into the Union in accordance with the foregoing provisions of this act, fifty entire sections of the unappropriated public lands within said State, to be selected and located by direction of the legislature thereof, and with the approval of the President, on or before the first day of January, eighteen hundred and seventy-eight, shall be, and are hereby, granted, in legal subdivisions of not less than one quarter-section, to said State for the purpose of erecting public buildings at the capital of said State for legislative and judicial purposes, in such manner as the legislature shall prescribe.

SEC. 9. That fifty other entire sections of land as aforesaid, to be

selected and located and with the approval as aforesaid, in legal subdivisions as aforesaid, shall be, and they are hereby, granted to said State for the purpose of erecting a suitable building for a penitentiary or State prison in the manner aforesaid.

SEC. 10. That seventy-two other sections of land shall be set apart and reserved for the use and support of a State university, to be selected and approved in manner as aforesaid, and to be appropriated and applied as the legislature of said State may prescribe for the purpose named, and for no other purpose.

SEC. 11. That all salt-springs within said State, not exceeding twelve in number, with six sections of land adjoining, and as contiguous as may be to each, shall be granted to said State for its use, the said land to be selected by the governor of said State within two years after the admission of the State, and when so selected to be used and disposed of on such terms, conditions, and regulations as the legislature shall direct: *Provided*, That no salt-springs or lands the right whereof is now vested in any individual or individuals, or which hereafter shall be confirmed or adjudged to any individual or individuals, shall by this act be granted to said State.

SEC. 12. That five per centum of the proceeds of the sales of agricultural public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State for the purpose of making such internal improvements within said State as the legislature thereof may direct: *Provided*, That this section shall not apply to any lands disposed of under the homestead laws of the United States, or to any lands now or hereafter reserved for public or other uses.

SEC. 13. That any balance of the appropriations for the legislative expenses of said Territory of Colorado remaining unexpended shall be applied to and used for defraying the expenses of said convention, and for the payment of the members thereof, under the same rules and regulations and rates as are now provided by law for the payment of the territorial legislature.

SEC. 14. That the two sections of land in each township herein granted for the support of common schools shall be disposed of only at public sale and at a price not less than two dollars and fifty cents per acre, the proceeds to constitute a permanent school fund, the interest of which to be expended in the support of common schools.

SEC. 15. That all mineral lands shall be excepted from the operation and grants of this act.

Approved March 3, 1875.

An Act to amend the Act entitled "An Act to enable the people of Colorado to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States," approved March 3, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section three of the act entitled "An act to enable the people of Colorado to form a constitution and State government, and for the admission of the said State into the Union on a equal footing with the original States" approved March third, eighteen hundred and seventy-five, as reads "and also to vote upon the acceptance or rejection of such constitution as may be formed by said convention" be amended so as to read as follows: "And all who are qualified voters of said Territory under the laws thereof at such time as the constitution to be framed shall be submitted to the people for ratification or rejection shall be entitled to vote upon the question of such ratification or rejection."

SEC. 2. That section thirteen of said act be amended by adding at the end of said section thirteen the following: "And if the balance of said legislative appropriations does not amount to the sum of twenty thousand dollars, then there shall be, and there hereby is, appropriated, out of any money in the treasury not otherwise appropriated, a sum sufficient, with the said unexpended appropriations, to make the sum of twenty thousand dollars, which shall be used for the purposes aforesaid: *Provided*, That any money hereby appropriated not necessary for such purposes shall be covered into the Treasury of the United States."

Approved March 3, 1876.

Under this Act delegates to frame a constitution were duly elected. They met in convention in December, 1875, and continued their session to March 13th, 1876, when the convention adjourned *sine die*.

CHAPTER V.

CONSTITUTION.

PREAMBLE.

We, the people of Colorado, with profound reverence for the Supreme Ruler of the Universe, in order to form a more independent and perfect government; establish justice; insure tranquility; provide for the common defense; promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the "State of Colorado."

ARTICLE I.

BOUNDARIES.

The boundaries of the State of Colorado shall be as follows: Commencing on the thirty-seventh parallel of north latitude, where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on said meridian to the forty-first parallel of north latitude; thence along said parallel west to the thirty-second meridian of longitude west from Washington; thence south on said meridian to the thirty-seventh parallel of north latitude; thence along said thirty-seventh parallel of north latitude to the place of beginning.

ARTICLE II.

BILL OF RIGHTS.

In order to assert our rights, acknowledge our duties, and proclaim the principles upon which our government is founded, we declare:

Section 1. That all political power is vested in and derived from the people; that all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Sec. 2. That the people of this State have the sole and exclusive

right of governing themselves, as a free, sovereign and independent State; and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States.

SEC. 3. That all persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness.

SEC. 4. That the free exercise and enjoyment of religious profession and worship, without discrimination, shall forever hereafter be guaranteed; and no person shall be denied any civil or political right, privilege, or capacity, on account of his opinions concerning religion; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the good order, peace, or safety of the State. No person shall be required to attend or support any ministry or place of worship, religious sect, or denomination against his consent. Nor shall any preference be given by law to any religious denomination or mode of worship.

SEC. 5. That all elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

SEC. 6. That courts of justice shall be open to every person, and a speedy remedy afforded for every injury to person, property, or character; and that right and justice should be administered without sale, denial, or delay.

SEC. 7. That the people shall be secure in their persons, papers, homes and effects from unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue without describing the place to be searched, or the person or thing to be seized, as near as may be, nor without probable cause, supported by oath or affirmation, reduced to writing.

SEC. 8. That, until otherwise provided by law, no person shall, for a felony, be proceeded against criminally, otherwise than by indictment, except in cases arising in the land and naval forces, or in the militia when in actual service in time of war or public danger. In all other cases offenses shall be prosecuted criminally by indictment or information.

SEC. 9. That treason against the State can consist only in levying war against it, or in adhering to its enemies, giving them aid and com-

fort; that no person can be convicted of treason unless on the testimony of two witnesses to the same overt act, or on his confession in open court; that no person can be attainted of treason or felony by the General Assembly; that no conviction can work corruption of blood or forfeiture of estate; that the estates of such persons as may destroy their own lives shall descend or vest as in cases of natural death.

SEC. 10. That no law shall be passed impairing the freedom of speech; that every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuse of that liberty; and that all suits and prosecutions for libel, the truth thereof may be given in evidence, and the jury, under the direction of the court, shall determine the law and the fact.

SEC. 11. That no *ex post facto* law, nor law impairing the obligation of contracts, or retrospective in its operation, or making any irrevocable grant of special privileges, franchises, or immunities, shall be passed by the General Assembly.

SEC. 12. That no person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law, or in cases of tort or where there is a strong presumption of fraud.

SEC. 13. That the right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called in question; but nothing herein contained shall be construed to justify the practice of carrying concealed weapons.

SEC. 14. That private property shall not be taken for private use unless by consent of the owner, except for private ways of necessity, and except for reservoirs, drains, flumes or ditches on or across the lands of others, for agricultural, mining, milling, domestic or sanitary purposes.

SEC. 15. That private property shall not be taken or damaged, for public or private use, without just compensation. Such compensation shall be ascertained by a board of commissioners, of not less than three freeholders, or by a jury when required by the owner of the property, in such manner as may be prescribed by law, and until the same shall be paid to the owner, or into court for the owner, the property shall not be needlessly disturbed, or the proprietary rights of the owner therein divested; and whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public, shall be a judicial question, and

determined as such without regard to any legislative assertion that the use is public.

SEC. 16. That in criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

SEC. 17. That no person shall be imprisoned for the purpose of securing his testimony in any case longer than may be necessary in order to take his deposition. If he can give security he shall be discharged; if he cannot give security, his deposition shall be taken by some Judge of the Supreme, District, or County Court, at the earliest time he can attend, at some convenient place by him appointed for that purpose, of which time and place the accused and the attorney prosecuting for the people, shall have reasonable notice. The accused shall have the right to appear in person and by counsel. If he have no counsel, the Judge shall assign him one in that behalf only. On the completion of such examination the witness shall be discharged on his own recognizance, entered in before said Judge, but such deposition shall not be used if, in the opinion of the Court the personal attendance of the witness might be procured by the prosecution, or is procured by the accused. No exception shall be taken to such deposition as to matters of form.

SEC. 18. That no person shall be compelled to testify against himself in a criminal case, nor shall any person be twice put in jeopardy for the same offense. If the jury disagree, or if the judgment be arrested after verdict, or if the judgment be reversed for error in law, the accused shall not be deemed to have been in jeopardy.

SEC. 19. That all persons shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

SEC. 20. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

SEC. 21. That the privilege of the writ of *habeas corpus* shall never be suspended, unless when, in case of rebellion or invasion, the public safety may require it.

SEC. 22. That the military shall always be in strict subordination to the civil power; that no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

SEC. 23. The right of trial by jury shall remain inviolate in crim-

inal cases; but a jury in civil cases in all courts, or in criminal cases in courts not of record, may consist of less than twelve men, as may be prescribed by law. Hereafter a Grand Jury shall consist of twelve men, any nine of whom concurring may find an indictment: *Provided*, the General Assembly may change, regulate or abolish the grand jury system.

SEC. 24. That the people have the right peaceably to assemble for the common good, and to apply to those invested with the powers of government for redress of grievances, by petition or remonstrance.

SEC. 25. That no person shall be deprived of life, liberty, or property, without due process of law.

SEC. 26. That there shall never be in this State either slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

SEC. 27. Aliens, who are, or who may hereafter become, *bona fide* residents of this State, may acquire, inherit, possess, enjoy and dispose of property real and personal, as native born citizens.

SEC. 28. The enumeration in this Constitution of certain rights shall not be construed to deny, impair, or disparage others retained by the people.

ARTICLE III.

DISTRIBUTION OF POWERS.

The powers of the government of this State are divided into three distinct departments—the Legislative, Executive and Judicial—and no person, or collection of persons, charged with the exercise of powers properly belonging to one of these departments, shall exercise any power properly belonging to either of the others, except as in this Constitution expressly directed or permitted.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of State, State Treasurer, Attorney General, and Superintendent of Public Instruction, each of whom shall hold his office for the term of two years, beginning on the second Tuesday of January next after his election: *Provided*, That the terms of office of those chosen at the first election held under this Constitution, shall begin on the day appointed for the first meeting of the General Assembly. The officers of the Executive Department, excepting the Lieutenant Governor, shall, during their term of offices, reside at the seat of government, where they shall keep

the public records, books and papers. They shall perform such duties as are prescribed by this Constitution or by law.

SEC. 2. The supreme executive power of the State shall be vested in the Governor, who shall take care that the laws be faithfully executed.

SEC. 3. The officers named in section one of this article, shall be chosen on the day of the general election, by the qualified electors of the State. The returns of every election for said officers shall be sealed up and transmitted to the Secretary of State, directed to the Speaker of the House of Representatives, who shall immediately, upon the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of the members of both Houses of the General Assembly, who shall for that purpose assemble in the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected, but if two or more have an equal and the highest number of votes for the same office, one of them shall be chosen thereto by the two Houses, on joint ballot. Contested elections for the said offices shall be determined by the two Houses, on joint ballot, in such manner as may be prescribed by law.

SEC. 4. No person shall be eligible to the office of Governor, Lieutenant Governor, or Superintendent of Public Instruction, unless he shall have attained the age of thirty years, nor to the office of Auditor of State, Secretary of State, or State Treasurer, unless he shall have attained the age of twenty-five years, nor to the office of Attorney General unless he shall have attained the age of twenty-five years, and be a licensed attorney of the Supreme Court of the State, or of the Territory of Colorado, in good standing. At the first election, under this Constitution, any person being a qualified elector at the time of the adoption of this Constitution, and having the qualifications above herein prescribed for any one of said officers, shall be eligible thereto; but thereafter no person shall be eligible to any one of said offices, unless, in addition to the qualifications above prescribed therefor, he shall be a citizen of the United States, and have resided within the limits of the State two years next preceding his election.

SEC. 5. The Governor shall be commander-in-chief of the military forces of the State, except when they shall be called into actual service of the United States. He shall have power to call out the militia to execute the laws, suppress insurrection, or repel invasion.

SEC. 6. The Governor shall nominate, and by and with the consent of the Senate, appoint all officers whose offices are established by

this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for, and may remove any such officer for incompetency, neglect of duty, or malfeasance in office. If during the recess of the Senate a vacancy occur in any such office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of Auditor of State, State Treasurer, Secretary of State, Attorney General, or Superintendent of Public Instruction, shall be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. The Senate in deliberating upon executive nominations may sit with closed doors, but in acting upon nominations they shall sit with open doors, and the vote shall be taken by ayes and noes, which shall be entered upon the journal.

SEC. 7. The Governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons, but he shall in every case, where he may exercise this power, send to the General Assembly, at its first session thereafter, a transcript of the petition, all proceedings, and the reasons for his action.

SEC. 8. The Governor may require information in writing from the officers of the Executive Department upon any subject relating to the duties of their respective offices, which information shall be given upon oath whenever so required; he may also require information in writing at any time, under oath, from all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions. The Governor shall, at the commencement of each session, and from time to time, by message, give to the General Assembly information of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall also send to the General Assembly a statement, with vouchers, of the expenditures of all moneys belonging to the State, and paid out by him. He shall, also, at the commencement of each session, present estimates of the amount of money required to be raised by taxation for all purposes of the State.

SEC. 9. The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which it is assembled; but at such special session no business shall be transacted other than that specially named in the proclamation.

He may, by proclamation, convene the Senate in extraordinary session for the transaction of executive business.

SEC. 10. The Governor, in case of a disagreement between the two Houses as to the time of adjournment, may, upon the same being certified to him by the House last moving adjournment, adjourn the General Assembly to a day not later than the first day of the next regular session.

SEC. 11. Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large upon its journal, and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of the members elected to that House, it shall become a law, notwithstanding the objections of the Governor. In all such cases the vote of each House shall be determined by ayes and noes, to be entered upon the journal. If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment, prevent its return, in which case it shall be filed, with his objections, in the office of the Secretary of State, within thirty days after such adjournment, or else become a law.

SEC. 12. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and part or parts of the bill approved shall be law, and the item or items disapproved shall be void, unless enacted in manner following: If the General Assembly be in session, he shall transmit to the House, in which the bill originated, a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the Executive veto.

LIEUTENANT GOVERNOR.

SEC. 13. In case of the death, impeachment, or conviction of felony or infamous misdemeanor, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office, for the residue of the term, or

until the disability be removed, shall devolve upon the Lieutenant Governor.

SEC. 14. The Lieutenant Governor shall be President of the Senate, and shall vote only when the Senate is equally divided. In case of the absence, impeachment or disqualification from any cause of the Lieutenant Governor, or when he shall hold the office of Governor, then the President *pro tem.* of the Senate shall perform the duties of the Lieutenant Governor, until the vacancy is filled or the disability removed.

SEC. 15. In case of the failure to qualify in his office, death, resignation, absence from the State, impeachment, conviction of felony, or infamous misdemeanor, or disqualification from any cause, of both the Governor and Lieutenant Governor, the duties of the Governor shall devolve on the President of the Senate *pro tem.*, until such disqualification of either the Governor or Lieutenant Governor be removed, or the vacancy be filled; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House.

SEC. 16. An account shall be kept by the officers of the Executive Department, and of all public institutions of the State, of all moneys received by them severally from all sources, and for every service performed, and of all moneys disbursed by them severally, and a semi-annual report thereof shall be made to the Goveenor, under oath.

SEC. 17. The officers of the Executive Department, and of all public institutions of the State, shall, at least twenty days preceding each regular session of the General Assembly, make full and complete report of their actions to the Governor, who shall transmit the same to the General Assembly.

SEC. 18. There shall be a seal of the State, which shall be kept by the Secretary of State, and shall be called the "Great Seal of the State of Colorado." The seal of the Territory of Colorado, as now used, shall be the seal of the State until otherwise provided by law.

SEC. 19. The officers named in section one of this article, shall receive for their services a salary to be established by law, which shall not be increased or diminished during their official terms. It shall be the duty of all such officers to collect in advance all fees prescribed by law for services rendered by them severally, and pay the same into the State treasury.

SEC. 20. The Superintendent of Public Instruction shall be *ex officio* State Librarian.

SEC. 21. Neither the State Treasurer nor State Auditor shall be eligible for re-election as his own immediate successor.

ARTICLE V.

LEGISLATIVE DEPARTMENT.

SECTION 1. The legislative power shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.

SEC. 2. An election for members of the General Assembly shall be held on the first Tuesday in October, in the years of our Lord 1876 and 1878, and in each alternate year thereafter, on such day, at such places in each county as now are, or hereafter may be, provided by law. The first election for members of the General Assembly under the State organization shall be conducted in the manner prescribed by the laws of Colorado Territory regulating elections for members of the Legislative Assembly thereof. When vacancies occur in either House, the Governor, or person exercising the powers of Governor, shall issue writs of election to fill such vacancies.

SEC. 3. Senators shall be elected for the term of four years, except as hereinafter provided, and Representatives for the term of two years.

SEC. 4. No person shall be a Representative or Senator who shall not have attained the age of twenty-five years, who shall not be a citizen of the United States, who shall not for at least twelve months next preceding his election have resided within the Territory included in the limits of the county or district in which he shall be chosen: *Provided*, That any person who at the time of the adoption of this Constitution was a qualified elector under the Territorial laws, shall be eligible to the first General Assembly.

SEC. 5. The Senators, at their first session, shall be divided into two classes. Those elected in districts designated by even numbers shall constitute one class; those elected in districts designated by odd numbers shall constitute the other class, except that Senators elected in each of the districts having more than one Senator shall be equally divided between the two classes. The Senators of one class shall hold for two years; those of the other class shall hold for four years—to be decided by lot between the two classes, so that one-half of the Senators, as near as practicable, may be biennially chosen forever thereafter.

SEC. 6. Each member for the first General Assembly, as a compensation for his services, shall receive four dollars for each day's attendance, and fifteen cents for each mile necessarily traveled in going

to and returning from the seat of government; and shall receive no other compensation, perquisite or allowance whatsoever. No session of the General Assembly, after the first, shall exceed forty days. After the first session, the compensation of the members of the General Assembly shall be as provided by law: *Provided*, That no General Assembly shall fix its own compensation.

SEC. 7. The General Assembly shall meet at 12 o'clock, noon, on the first Wednesday in November, A. D. 1876; and at 12 o'clock, noon, on the first Wednesday in January, A. D. 1879; and at 12 o'clock, noon, on the first Wednesday in January of each alternate year forever thereafter, and at other times when convened by the Governor. The term of service of the members thereof shall begin on the first Wednesday of November next after their election, until otherwise provided by law.

SEC. 8. No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this State; and no member of Congress, or other person holding any office (except of attorney-at-law, notary public, or in the militia) under the United States, or this State, shall be a member of either House during his continuance in office.

SEC. 9. No member of either House shall, during the term for which he may have been elected, receive any increase of salary or mileage, under any law passed during such term.

SEC. 10. The Senate shall, at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members President *pro tempore*. The House of Representatives shall elect one of its members as Speaker. Each House shall choose its other officers, and shall judge of the election and qualification of its members.

SEC. 11. A majority of each House shall constitute a quorum, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

SEC. 12. Each House shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence; to enforce obedience to its process; to protect its members against violence, or offers of bribes, or private solicitation, and, with the concurrence of two-thirds, to expel a member, but not a second time for the same cause, and shall have all other powers necessary for the Legislature of a free State. A member, expelled for corruption, shall not thereafter be eligible to either House of the same General Assembly, and punishment for con-

tempt or disorderly behavior shall not bar an indictment for the same offense.

SEC. 13. Each House shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, except such parts as require secrecy, and the ayes and noes on any question shall, at the desire of any two members, be entered on the journal.

SEC. 14. The sessions of each House, and of the committees of the whole, shall be open, unless when the business is such as ought to be kept secret.

SEC. 15. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 16. The members of the General Assembly shall, in all cases except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

SEC. 17. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either House as to change its original purpose.

SEC. 18. The style of the laws of this State shall be: "*Be it enacted by the General Assembly of the State of Colorado.*"

SEC. 19. No act of the General Assembly shall take effect until ninety days after its passage, unless in case of emergency (which shall be expressed in the preamble or body of the act) the General Assembly shall, by a vote of two-thirds of all the members elected to each House, otherwise direct. No bill, except the general appropriation for the expenses of the government only, introduced in either House of the General Assembly after the first twenty-five days of the session, shall become a law.

SEC. 20. No bill shall be considered or become a law unless referred to a committee, returned therefrom, and printed for the use of the members.

SEC. 21. No bill, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title; but if any subject shall be embraced in any act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

SEC. 22. Every bill shall be read at length on three different days in each House; all substantial amendments made thereto shall be printed for the use of the members, before the final vote is taken on

the bill; and no bill shall become a law except by vote of a majority of all the members elected to each House, nor unless on its final passage the vote be taken by ayes and noes, and the names of those voting be entered on the journal.

SEC. 23. No amendment to any bill by one House shall be concurred in by the other, nor shall the report of any committee of conference be adopted in either House, except by a vote of a majority of the members elected thereto, taken by ayes and noes, and the names of those voting recorded upon the journal thereof.

SEC. 24. No law shall be revived, or amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, extended or conferred, shall be re-enacted and published at length.

SEC. 25. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: for granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys and public grounds; locating or changing county seats; regulating county or township affairs; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace, police magistrates and constables; changing the rules of evidence in any trial or inquiry; providing for changes of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions or giving effect to informal or invalid deeds; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election, or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; the protection of game or fish; chartering or licensing ferries or toll bridges; remitting fines, penalties, or forfeitures; creating, increasing, or decreasing fees, per centage, or allowances of public officers; changing the law of descent; granting to any corporation, association, or individual the right to lay down railroad tracks; granting to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise whatever. In all other cases, where a general law can be made applicable, no special law shall be enacted.

SEC. 26. The presiding officer of each House shall, in the presence of the House over which he presides, sign all bills and joint resolutions passed by the General Assembly, after their titles shall have been publicly read, immediately before signing; and the fact of signing shall be entered on the journal.

SEC. 27. The General Assembly shall prescribe by law the num-

ber, duties and compensation of the officers and employes of each House; and no payment shall be made from the State Treasury, or be in any way authorized to any person, except to an acting officer or employe elected or appointed in pursuance of law.

SEC. 28. No bill shall be passed giving any extra compensation to any public officer, servant or employe, agent or contractor, after services shall have been rendered or contract made, nor providing for the payment of any claim made against the State without previous authority of law.

SEC. 29. All stationery, printing, paper and fuel used in the legislative and other departments of government, shall be furnished; and the printing, and binding, and distributing of the laws, journals, department reports, and other printing and binding; and the repairing and furnishing the halls and rooms used for the meeting of the General Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the government shall be in any way interested in any such contract; and all such contracts shall be subject to the approval of the Governor and State Treasurer.

SEC. 30. Except as otherwise provided in this Constitution, no law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election or appointment: *Provided*, This shall not be construed to forbid the General Assembly to fix the salary or emoluments of those first elected or appointed under this Constitution.

SEC. 31. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose amendments, as in case of other bills.

SEC. 32. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, interest on the public debt, and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

SEC. 33. No money shall be paid out of the treasury except upon appropriations made by law, and on warrant drawn by the proper officer in pursuance thereof.

SEC. 34. No appropriation shall be made for charitable, industrial, educational or benevolent purposes, to any person, corporation, or community not under the absolute control of the State, nor to any denominational or sectarian institution or association.

SEC. 35. The General Assembly shall not delegate to any special

commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes, or to perform any municipal function whatever.

SEC. 36. No act of the General Assembly shall authorize the investment of trust funds by executors, administrators, guardians, or other trustees, in the bonds or stock of any private corporation.

SEC. 37. The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such a manner as shall be provided by law.

SEC. 38. No obligation or liability of any person, association or corporation, held or owned by the State, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the General Assembly, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury.

SEC. 39. Every order, resolution or vote to which the concurrence of both Houses may be necessary, except on the question of adjournment, or relating solely to the transaction of business of the two Houses, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

SEC. 40. If any person elected to either House of the General Assembly shall offer or promise to give his vote or influence in favor of or against any measure or proposition, pending or proposed to be introduced into the General Assembly, in consideration or upon condition that any other person elected to the same General Assembly will give or will promise or assent to give his vote or influence in favor of or against any other measure or proposition, pending or proposed to be introduced in such General Assembly, the person making such offer or promise, shall be deemed guilty of solicitation of bribery. If any member of the General Assembly shall give his vote or influence for or against any measure or proposition pending in such General Assembly, or offer, promise or assent so to do, upon condition that any other member will give or will promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in such General Assembly, or in consideration that any other member hath given his vote or influence for or against any other measure or proposition in such General Assembly, he shall be deemed guilty of bribery, and any member of the General Assembly, or person elected thereto, who shall be guilty of either of

such offenses shall be expelled, and shall not be thereafter eligible to the same General Assembly; and, on the conviction thereof in the civil courts, shall be liable to such further penalty as may be prescribed by law.

SEC. 41. Any person who shall directly or indirectly offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the General Assembly to influence him in the performance of any of his public or official duties, shall be deemed guilty of bribery, and be punished in such manner as shall be provided by law.

SEC. 42. The offense of corrupt solicitation of members of the General Assembly, or of public officers of the State, or of any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

SEC. 43. A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly, shall disclose the fact to the House of which he is a member, and shall not vote thereon.

CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT.

SEC. 44. One Representative in the Congress of the United States shall be elected from the State at large at the first election under this Constitution, and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by Congress, the General Assembly shall divide the State into Congressional Districts accordingly.

SEC. 45. The General Assembly shall provide by law for an enumeration of the inhabitants of the State in the year of our Lord 1885, and every tenth year thereafter; and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Senators and Representatives on the basis of such enumeration, according to ratios to be fixed by law.

SEC. 46. The Senate shall consist of twenty-six, and the House of Representatives forty-nine members, which number shall not be increased until the year of our Lord one thousand eight hundred and ninety, after which time the General Assembly may increase the number of Senators and Representatives, preserving, as near as may be, the present proportion as to the number in each House: *Provided*, That the aggregate number of Senators and Representatives shall never exceed one hundred.

SEC. 47. Senatorial and Representative Districts may be altered

from time to time, as public convenience may require. When a Senatorial or Representative District shall be composed of two or more counties, they shall be contiguous, and the district as compact as may be. No county shall be divided in the formation of a Senatorial or Representative District.

SEC. 48. Until the State shall be divided into Senatorial Districts, in accordance with the provisions of this article, said districts shall be constituted and numbered as follows:

The county of Weld shall constitute the first district, and be entitled to one Senator.

The county of Larimer shall constitute the second district, and be entitled to one Senator.

The county of Boulder shall constitute the third district, and be entitled to two Senators.

The county of Gilpin shall constitute the fourth district, and be entitled to one Senator.

The counties of Gilpin, Summit and Grand shall constitute the fifth district, and be entitled to one Senator.

The county of Clear Creek shall constitute the sixth district, and be entitled to two Senators.

The county of Jefferson shall constitute the seventh district, and be entitled to one Senator.

The county of Arapahoe shall constitute the eighth district, and be entitled to four Senators.

The counties of Elbert and Bent shall constitute the ninth district, and be entitled to one Senator.

The county of El Paso shall constitute the tenth district, and be entitled to one Senator.

The county of Douglas shall constitute the eleventh district, and be entitled to one Senator.

The county of Park shall constitute the twelfth district, and be entitled to one Senator.

The counties of Lake and Saguache shall constitute the thirteenth district, and be entitled to one Senator.

The county of Fremont shall constitute the fourteenth district, and be entitled to one Senator.

The county of Pueblo shall constitute the fifteenth district, and be entitled to one Senator.

The county of Huerfano shall constitute the sixteenth district, and be entitled to one Senator.

The county of Las Animas shall constitute the seventeenth district, and be entitled to two Senators.

The county of Costilla shall constitute the eighteenth district, and be entitled to one Senator.

The county of Conejos shall constitute the nineteenth district, and be entitled to one Senator.

The counties of Rio Grande, Hinsdale, La Plata and San Juan shall constitute the twentieth district, and be entitled to one Senator.

SEC. 49. Until an apportionment of Representatives be made in accordance with the provisions of this arricle, they shall be divided among the several counties of the State in the following manner: The county of Arapahoe shall have seven; the counties of Boulder and Clear Creek, each, four; the counties of Gilpin and Las Animas, each, three; the counties of El Paso, Fremont, Huerfano, Jefferson, Pueblo and Weld, each, two; the counties of Bent, Costilla, Conejos, Douglas, Elbert, Grand, Hinsdale, Larimer, La Plata, Lake, Park, Rio Grande, Summit, Saguache and San Juan, each, one; and the counties of Costilla and Conejos, jointly, one.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial powers of the State, as to matters of law and equity, except as in this Constitution otherwise provided, shall be vested in a Supreme Court, District Courts, County Courts, Justices of the Peace, and such other courts as may be created by law for cities and incorporated towns.

SUPREME COURT.

SEC. 2. The Supreme Court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be coextensive with the State, and shall have a general superintending control over all inferior courts, under such regulations and limitations as may be prescribed by law.

SEC. 3. It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, injunction, and other original and remedial writs, with authority to hear and determine the same.

SEC. 4. At least two terms of the Supreme Court shall be held each year at the seat of government.

SEC. 5. The Supreme Court shall consist of three judges, a majority of whom shall be necessary to form a quorum or pronounce a decision.

SEC. 6. The Judges of the Supreme Court shall be elected by electors of the State at large, as hereinafter provided.

SEC. 7. The term of office of the Judges of the Supreme Court, except as in this article otherwise provided, shall be nine years.

SEC. 8. The Judges of the Supreme Court shall, immediately

after the first election under this Constitution, be classified by lot, so that one shall hold his office for the term of three years, one for the term of six years, and one for the term of nine years. The lot shall be drawn by the Judges, who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the Secretary of the Territory, and filed in his office. The Judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the Chief Justice, and shall preside at all terms of the Supreme Court, and, in case of his absence, the Judge having in like manner the next shortest term to serve shall preside in his stead.

SEC. 9. There shall be a Clerk of the Supreme Court, who shall be appointed by the Judges thereof, and shall hold his office during the pleasure of said Judges, and whose duties and emoluments shall be as prescribed by law and by the rules of the Supreme Court.

SEC. 10. No person shall be eligible to the office of Judge of the Supreme Court unless he be learned in the law; be at least thirty years of age, and a citizen of the United States, nor unless he shall have resided in this State or Territory at least two years next preceding his election.

DISTRICT COURTS.

SEC. 11. The District Courts shall have original jurisdiction of all causes, both at law and in equity, and such appellate jurisdiction as may be conferred by law. They shall have original jurisdiction to determine all controversies upon relation of any person on behalf of the people, concerning the rights, duties and liabilities of railroad, telegraph or toll-road companies or corporations.

SEC. 12. The State shall be divided into judicial districts, in each of which there shall be elected by the electors thereof, one Judge of the District Court therein, whose term of office shall be six years. The Judges of the District Courts may hold courts for each other, and shall do so when required by law.

SEC. 13. Until otherwise provided by law, said districts shall be four in number, and constituted as follows, viz.:

First District.—The counties of Boulder, Jefferson, Gilpin, Clear Creek, Summit and Grand.

Second District—The counties of Arapahoe, Douglas, Elbert, Weld and Larimer.

Third District—The counties of Park, El Paso, Fremont, Pueblo, Bent, Las Animas and Huerfano.

Fourth District—The counties of Costilla, Conejos, Rio Grande, San Juan, La Plata, Hinsdale, Saguache and Lake.

SEC. 14. The General Assembly may, after the year 1880 (whenever two-thirds of the members of each House shall concur therein), but not oftener than once in six years, increase the number of the judicial districts and the judges thereof; such districts shall be formed of compact territory, and bounded by county lines, but such increase or change in the boundaries of a district shall not work the removal of any Judge from his office during the term for which he shall have been elected or appointed.

SEC. 15. The Judges of the District Court first elected shall be chosen at the first general election. The General Assembly may provide that, after the year 1878, the election of the Judges of the Supreme, District and County Courts, and the District Attorneys, or any of them, shall be on a different day from that on which an election is held for any other purpose, and for that purpose may extend or abridge the term of office of any such officers then holding, but not in any case more than six months. Until otherwise provided by law, such officers shall be elected at the time of holding the general elections. The terms of office of all Judges of the District Court elected in the several districts throughout the State, shall expire on the same day; and the terms of office of the District Attorneys elected in the several districts throughout the State shall, in like manner, expire on the same day.

SEC. 16. No person shall be eligible to the office of District Judge unless he be learned in the law, be at least thirty years old, and a citizen of the United States, nor unless he shall have resided in the State or Territory at least two years next preceding his election, nor unless he shall, at the time of his election, be an elector within the judicial district for which he is elected: *Provided*, That at the first election, any person of the requisite age and learning, and who is an elector of the Territory of Colorado, under the laws thereof, at the time of the adoption of this Constitution, shall be eligible to the office of Judge of the District Court of the judicial district within which he is an elector.

SEC. 17. The time of holding courts within the said districts shall be as provided by law, but at least one term of the District Court shall be held annually in each county, except in such counties as may be attached, for judicial purposes, to another county wherein such courts are so held. This shall not be construed to prevent the holding of special terms, under such regulations as may be provided by law.

SEC. 18. The Judges of the Supreme and District Courts shall each receive such salary as may be provided by law, and no such Judge

shall receive any other compensation, perquisite or emolument for or on account of his office, in any form whatever, nor act as attorney or counselor at law.

SEC. 19. There shall be a Clerk of the District Court in each county wherein a term is held, who shall be appointed by the Judge of the district, to hold his office during the pleasure of the Judge. His duties and compensation shall be as provided by law, and regulated by the rules of the court.

SEC. 20. Until the General Assembly shall provide by law for fixing the terms of the courts aforesaid, the Judges of the Supreme and District Courts, respectively, shall fix the terms thereof.

DISTRICT ATTORNEYS.

SEC. 21. There shall be elected, by the qualified electors of each judicial district, at each regular election for Judges of the Supreme Court, a District Attorney for such district, whose term of office shall be three years, and whose duties and compensations shall be as provided by law. No person shall be eligible to the office of District Attorney who shall not, at the time of his election, be at least twenty-five years of age, and possess all the other qualifications for Judges of District Courts, as prescribed in this article.

COUNTY COURTS.

SEC. 22. There shall be elected, at the general election in each organized county in the year 1877, and every three years thereafter, except as otherwise provided in this article, a County Judge, who shall be Judge of the County Court of said County, whose term of office shall be three years, and whose compensation shall be as may be provided by law.

SEC. 23. County Courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, appointment of guardians, conservators and administrators, and settlement of their accounts, and such other civil and criminal jurisdiction as may be conferred by law: *Provided*, Such courts shall not have jurisdiction in any case where the debt, damage, or claim or value of property involved shall exceed two thousand dollars, except in cases relating to the estates of deceased persons. Appeals may be taken from County to District Courts, or to the Supreme Court, in such cases and in such manner as may be prescribed by law. Writs of error shall lie from the Supreme Court to every final judgment of the County Court. No appeal shall lie to the Dis-

trict Court from any judgment given upon an appeal from a Justice of the Peace.

CRIMINAL COURT.

SEC. 24. The General Assembly shall have power to create and establish a Criminal Court in each county having a population exceeding fifteen thousand, which court may have concurrent jurisdiction with the District Courts in all criminal cases not capital; the terms of such courts to be as provided by law.

JUSTICES OF THE PEACE.

SEC. 25. Justices of the Peace shall have such jurisdiction as may be conferred by law; but they shall not have jurisdiction of any case wherein the value of the property, or the amount in controversy, exceeds the sum of three hundred dollars, nor where the boundaries or title to real property shall be called in question.

POLICE MAGISTRATES.

SEC. 26. The General Assembly shall have power to provide for creating such police magistrates for cities and towns as may be deemed from time to time necessary or expedient, who shall have jurisdiction of all cases arising under the ordinances of such cities and towns respectively.

MISCELLANEOUS.

SEC. 27. The judges of courts of record inferior to the Supreme Court, shall, on or before the first day in July in each year, report in writing, to the judges of the Supreme Court, such defects and omissions in the laws as their knowledge and experience may suggest, and the Judges of the Supreme Court shall, on or before the first day of December of each year, report in writing to the Governor, to be by him transmitted to the General Assembly, together with his message, such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate bills for curing the same.

SEC. 28. All laws relating to courts shall be general and of uniform operation throughout the State; and the organization, jurisdiction, powers, proceedings and practice of all the courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts severally, shall be uniform.

SEC. 29. All officers provided for in this article, excepting Judges of the Supreme Court, shall respectively reside in the district, county, precinct, city or town for which they may be elected or appointed. Vacancies in elective offices shall be filled by election, but when the

unexpired term does not exceed one year, the vacancy shall be filled by appointment, as follows: Of Judges of the Supreme and District Courts, by the Governor; of District Attorneys, by the Judge of the Court of which the office appertains; and of all other judicial officers by the Board of County Commissioners of the county where the vacancy occurs.

SEC. 30. All process shall run in the name of "The People of the State of Colorado;" all prosecutions shall be carried on in the name and by the authority of "The People of the State of Colorado," and conclude, "against the peace and dignity of the same."

ARTICLE VII.

SUFFRAGE AND ELECTIONS.

SECTION 1. Every male person over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections:

First—He shall be a citizen of the United States, or not being a citizen of the United States, he shall have declared his intention, according to law, to become such citizen, not less than four months before he offers to vote.

Second—He shall have resided in the State six months immediately preceding the election at which he offers to vote, and in the county, city, town, ward or precinct, such time as may be prescribed by law: *Provided*, That no person shall be denied the right to vote at any school district election, nor to hold any school district office, on account of sex.

SEC. 2. The General Assembly shall, at the first session thereof, and may at any subsequent session, enact laws to extend the right of suffrage to women of lawful age, and otherwise qualified according to the provisions of this article. No such enactment shall be of effect until submitted to the vote of the qualified electors at a general election, nor unless the same be approved by a majority of those voting thereon.

SEC. 3. The General Assembly may prescribe, by law, an educational qualification for electors, but no such law shall take effect prior to the year of our Lord one thousand eight hundred and ninety, and no qualified elector shall be thereby disqualified.

SEC. 4. For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the State, or of the United States, nor while a

student at any institution of learing, nor while kept at public expense in any poor-house or other asylum, nor while confined in public prison.

SEC. 5. Voters shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

SEC. 6. No person except a qualified elector shall be elected or appointed to any civil or military office in the State.

SEC. 7. The general election shall be held on the first Tuesday of October, in the years of our Lord eighteen hundred and seventy-six, eighteen hundred and seventy-seven, and eighteen hundred and seventy-eight, and annually thereafter on such day as may be prescribed by law.

SEC. 8. All elections by the people shall be by ballot; every ballot voted shall be numbered in the order in which it shall be received, and the number be recorded by the election officers on the list of voters opposite the name of the voter who presents the ballot. The election officers shall be sworn or affirmed not to enquire or disclose how any elector shall have voted. In all cases of contested elections, the ballots cast may be counted, compared with the list of voters, and examined under such safeguards and regulations as may be prescribed by law.

SEC. 9. In trials of contested elections, and for offenses arising under the election law, no person shall be permitted to withhold his testimony on the ground that it may criminate himself, or subject him to public infamy; but such testimony shall not be used against him in any judicial proceedings, except for perjury in giving such testimony.

SEC. 10. No person while confined in any public prison shall be entitled to vote; but every such person who was a qualified elector prior to such imprisonment, and who is released therefrom by virtue of a pardon, or by virtue of having served out his full term of imprisonment, shall, without further action, be invested with all the rights of citizenship, except as otherwise provided in this Constitution.

SEC. 11. The General Assembly shall pass laws to secure the purity of elections, and guard against abuses of the elective franchise.

SEC. 12. The General Assembly shall, by general law, designate the courts and judges by whom the several classes of election contests, not herein provided for, shall be tried, and regulate the manner of

trial, and all matters incident thereto; but no such law shall apply to any contest arising out of an election held before its passage.

ARTICLE VIII.

STATE INSTITUTIONS.

SECTION 1. Educational, reformatory, and penal institutions, and those for the benefit of the insane, blind, deaf and mute, and such other institutions as the public good may require, shall be established and supported by the State, in such manner as may be prescribed by law.

SEC. 2. The General Assembly shall have no power to change or to locate the seat of government of the State, but shall at its first session subsequent to the year of our Lord one thousand eight hundred and eighty, provide by law for submitting the question of the permanent location of the seat of government to the qualified electors of the State, at the general election then next ensuing, and a majority of all the votes upon said question cast at said election, shall be necessary to determine the location thereof. Said General Assembly shall also provide that in case there shall be no choice of location at said election, the question of choice between the two places for which the highest number of votes shall have been cast, shall be submitted in like manner to the qualified electors of the State, at the next general election: *Provided*, That until the seat of government shall have been permanently located as herein provided, the temporary location thereof shall remain at the city of Denver.

SEC. 3. When the seat of government shall have been located as herein provided, the location thereof shall not thereafter be changed, except by a vote of two-thirds of all the qualified electors of the State voting on that question, at a general election, at which the question of location of the seat of government shall have been submitted by the General Assembly.

SEC. 4. The General Assembly shall make no appropriation or expenditures for capitol buildings or grounds, until the seat of government shall have been permanently located, as herein provided.

SEC. 5. The following Territorial institutions, to wit: The University at Boulder, the Agricultural College at Fort Collins, the School of Mines at Golden, the Institute for the education of Mutes at Colorado Springs, shall, upon the adoption of this Constitution, become institutions of the State of Colorado, and the management thereof subject to the control of the State, under such laws and regulations as the General Assembly shall provide; and the location of said institutions, as well as all gifts, grants, and appropriations of money and

property, real and personal, heretofore made to said several institutions, are hereby confirmed to the use and benefit of the same respectively: *Provided*, This section shall not apply to any institution, the property, real or personal, of which is now vested in the trustees thereof, until such property be transferred by proper conveyence, together with the control thereof, to the officers provided for the management of said institution by this Constitution or by law.

ARTICLE IX.

EDUCATION.

SECTION 1. The general supervision of the public schools of the State shall be vested in a Board of Education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State, and Attorney General, shall constitute the Board, of which the Superintendent of Public Instruction shall be President.

SEC. 2. The General Assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the State, wherein all residents of the State between the ages of six and twenty-one years may be educated gratuitously. One or more public schools shall be maintained in each school district within the State, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

SEC. 3. The public school fund of the State shall forever remain inviolate and intact; the interest thereon, only, shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

SEC. 4. Each County Treasurer shall collect all school funds belonging to his county, and the several school districts therein, and disburse the same to the proper districts upon warrants drawn by the County Superintendent, or by the proper district authorities, as may be provided by law.

SEC. 5. The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the State by the General Government for educational pur-

poses; all estates that may escheat to the State; also all other grants, gifts, or devises that may be made to this State for educational purpose.

SEC. 6. There shall be a County Superintendent of Schools in each county, whose term of office shall be two years, and whose duties, qualifications and compensation shall be prescribed by law. He shall be *ex officio* Commissioner of Lands within his county, and shall discharge the duties of said office under the direction of the State Board of Land Commissioners, as directed by law.

SEC. 7. Neither the General Assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university, or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money, or other personal property, ever be made by the State, or any such public corporation, to any church or for any sectarian purpose.

SEC. 8. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend, or participate in, any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color.

SEC. 9. The Governor, Superintendent of Public Instruction, Secretary of State and Attorney General shall constitute the State Board of Land Commissioners, who shall have the direction, control, and disposition of the public lands of the State, under such regulations as may be prescribed by law.

SEC. 10. It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale or other disposition of all the lands heretofore, or which may hereafter be, granted to the State by the general government, under such regulations as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor. No law shall ever be passed by the General Assembly granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which the amount to be derived by the sale, or other disposition of such lands, shall be diminished, directly or indi-

rectly. The General Assembly shall, at the earliest practicable period, provide by law that the several grants of land made by Congress to the State shall be judiciously located and carefully preserved and held in trust, subject to disposal, for the use and benefit of the respective objects for which said grants of land were made, and the General Assembly shall provide for the sale of said lands from time to time; and for the faithful application of the proceeds thereof in accordance with the terms of said grants.

SEC. 11. The General Assembly may require, by law, that every child of sufficient mental and physical ability, shall attend the public school during the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

SEC. 12. There shall be elected by the qualified electors of the State, at the first general election under this Constitution, six Regents of the University, who shall immediately after their election be so classified, by lot, that two shall hold their office for the term of two years, two for four years, and two for six years; and every two years after the first election there shall be elected two Regents of the University, whose term of office shall be six years. The Regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of "The Regents of the University of Colorado."

SEC. 13. The Regents of the University shall, at their first meeting, or as soon thereafter as practicable, elect a President of the University, who shall hold his office until removed by the Board of Regents for cause; he shall be *ex officio* a member of the Board, with the privilege of speaking, but not voting, except in cases of a tie; he shall preside at the meetings of the Board, and be the principal executive officer of the University, and a member of the faculty thereof.

SEC. 14. The Board of Regents shall have the general supervision of the University, and the exclusive control and direction of all funds of, and appropriations to, the University.

SEC. 15. The General Assembly shall, by law, provide for organization of school districts of convenient size, in each of which shall be established a Board of Education, to consist of three or more directors, to be elected by the qualified electors of the district. Said directors shall have control of instruction in the public schools of their respective districts.

SEC. 16. Neither the General Assembly nor the State Board of

Education shall have power to prescribe text books to be used in the public schools.

ARTICLE X.

REVENUE.

SECTION 1. The fiscal year shall commence on the first day of October in each year, unless otherwise provided by law.

SEC. 2. The General Assembly shall provide by law for an annual tax sufficient, with other resources, to defray the estimated expenses of the State government for each fiscal year.

SEC. 3. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, which shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal: *Provided*, That mines and mining claims bearing gold, silver, and other precious metals (except the net proceeds and surface improvements thereof), shall be exempt from taxation for the period of ten years from the date of the adoption of this Constitution, and thereafter may be taxed as provided by law. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed, so long as they shall be owned and used exclusively for such purpose.

SEC. 4. The property, real and personal, of the State, counties, cities, towns and other municipal corporations, and public libraries shall be exempt from taxation.

SEC. 5. Lots, with the buildings thereon, if said buildings are used solely and exclusively for religious worship, for schools, or for strictly charitable purposes, also cemeteries not used or held for private or corporate profit, shall be exempt from taxation, unless otherwise provided by general law.

SEC. 6. All laws exempting from taxation property other than that hereinbefore mentioned, shall be void.

SEC. 7. The General Assembly shall not impose taxes for the purposes of any county, city, town, or other municipal corporation, but may, by law, vest in the corporate authorities thereof respectively the power to assess and collect taxes for all purposes of such corporation.

SEC. 8. No county, city, town, or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or

discharged from their or its proportionate share of taxes to be levied for State purposes.

SEC. 9. The power to tax corporations and corporate property, real and personal, shall never be relinquished or suspended.

SEC. 10. All corporations in this State, or doing business therein, shall be subject to taxation for State, county, school, municipal, and other purposes, on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

SEC. 11. The rate of taxation on property, for State purposes, shall never exceed six mills on each dollar of valuation; and whenever the taxable property within the State shall amount to one hundred million dollars, the rate shall not exceed four mills on each dollar of valuation; and whenever the taxable property within the State shall amount to three hundred million dollars, the rate shall never thereafter exceed two mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed, and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the State as, in the year next preceding such election, shall have paid a property tax assessed to them within the State, and a majority of those voting thereon shall vote in favor thereof, in such manner as may be provided by law.

SEC. 12. The Treasurer shall keep a separate account of each fund in his hands; and shall, at the end of each quarter of the fiscal year, report to the Governor in writing, under oath, the amount of all moneys in his hands to the credit of every such fund, and the place where the same are kept or deposited, and the number and amount of every warrant received, and the number and amount of every warrant paid therefrom during the quarter. Swearing falsely to any such report shall be deemed perjury. The Governor shall cause every such report to be immediately published in at least one newspaper printed at the seat of government, and otherwise as the General Assembly may require. The General Assembly may provide by law further regulations for the safe-keeping and management of the public funds in the hands of the Treasurer; but, notwithstanding any such regulation, the Treasurer and his sureties shall in all cases be held responsible therefor.

SEC. 13. The making of profit, directly or indirectly, out of State, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

SEC. 14. Private property shall not be taken or sold for the payment of the corporate debt of municipal corporations.

SEC. 15. There shall be a State Board of Equalization, consisting

of the Governor, State Auditor, State Treasurer, Secretary of State, and Attorney General; also, in each county of this State, a County Board of Equalization, consisting of the Board of County Commissioners of said county. The duty of the State Board of Equalization shall be to adjust and equalize the valuation of real and personal property among the several counties of the State. The duty of the County Board of Equalization shall be to adjust and equalize the valuation of real and personal property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

SEC. 16. No appropriation shall be made, nor any expenditure authorized by the General Assembly, whereby the expenditure of the State, during any fiscal year, shall exceed the total tax then provided for by law and applicable for such appropriation or expenditure, unless the General Assembly making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section eleven of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrection, defend the State, or assist in defending the United States in time of war.

ARTICLE XI.

PUBLIC INDEBTEDNESS.

SECTION 1. Neither the State, nor any county, city, town, township, or school district, shall lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company, or corporation, public or private, for any amount or for any purpose whatever, or become responsible for any debt, contract or liability of any person, company or corporation, public or private, in or out of the State.

SEC. 2. Neither the State nor any county, city, town, township, or school district shall make any donation or grant to, or in aid of, or become a subscriber to, or shareholder in, any corporation or company, or a joint owner with any person, company, or corporation, public or private, in or out of the State, except as to such ownership as may accrue to the State by escheat, or by forfeiture, by operation or provision of law; and except as to such ownership as may accrue to the State, or to any county, city, town, township, or school district, or to either or any of them, jointly with any person, company, or corporation, by forfeiture or sale of real estate for non-payment of taxes, or by donation or devise for public use, or by purchase by or on behalf of any or either of them, jointly with any or either of them, under

execution in cases of fines, penalties, or forfeiture of recognizance, breach of condition of official bond, or of bond to secure public moneys, or the performance of any contract in which they, or any of them, may be jointly or severally interested.

SEC. 3. The State shall not contract any debt by loan in any form, except to provide for casual deficiencies of revenue, erect public buildings for use of the State, suppress insurrection, defend the State, or, in time of war, assist in defending the United States; and the amount of debt contracted in any one year to provide for deficiencies of the revenue shall not exceed one-fourth of a mill on each dollar of valuation of taxable property within the State, and the aggregate amount of such debt shall not at any time exceed three-fourths of a mill on each dollar of said valuation until the valuation shall equal one hundred millions of dollars, and thereafter such debt shall not exceed one hundred thousand dollars, and the debt incurred in any one year for erection of public buildings shall not exceed one-half mill on each dollar of said valuation, and the aggregate amount of such debt shall never at any time exceed the sum of fifty thousand dollars (except as provided in section five of this article), and in all cases the valuation in this section mentioned shall be that of the assessment last preceding the creation of said debt.

SEC. 4. In no case shall any debt above mentioned in this article be created except by a law which shall be irrepealable until the indebtedness therein provided for shall have been fully paid or discharged; such law shall specify the purposes to which the funds so raised shall be applied, and provide for the levy of a tax sufficient to pay the interest on, and extinguish the principal of, such debt, within the time limited by such law for the payment thereof, which in the case of debts contracted for the erection of public buildings and supplying deficiencies of revenue, shall not be less than ten nor more than fifteen years, and the funds arising from the collection of any such tax shall not be applied to any other purpose than that provided in the law levying the same; and when the debt thereby created shall be paid or discharged, such tax shall cease, and the balance, if any, to the credit of the fund, shall immediately be placed to the credit of the general fund of the State.

SEC. 5. A debt for the purpose of erecting public buildings may be created by law, as provided for in section four of this article, not exceeding in the aggregate three mills on each dollar of said valuation: *Provided*, That before going into effect, such law shall be ratified by the vote of a majority of such qualified electors of the State as shall

vote thereon at a general election, under such regulations as the General Assembly may prescribe.

SEC. 6. No county shall contract any debt by loan in any form, except for the purpose of erecting necessary public buildings, making or repairing public roads and bridges; and such indebtedness contracted in any one year shall not exceed the rates upon the taxable property in such county, following, to wit: Counties in which the assessed valuation of taxable property shall exceed five millions of dollars, one dollar and fifty cents on each thousand dollars thereof. Counties in which such valuation shall be less than five millions of dollars, three dollars on each thousand dollars thereof. And the aggregate amount of indebtedness of any county for all purposes, exclusive of debts contracted before the adoption of this Constitution, shall not at any time exceed twice the amount above herein limited, unless when in manner provided by law, the question of incurring such debt shall, at a general election, be submitted to such of the qualified electors of such county as in the year last preceding such election shall have paid a tax upon property assessed to them in such county, and a majority of those voting thereon shall vote in favor of incurring the debt, but the bonds, if any be issued therefor, shall not run less than ten years, and the aggregate amount of debt so contracted shall not at any time exceed twice the rate upon the valuation last herein mentioned: *Provided*, That this section shall not apply to counties having a valuation of less than one million of dollars.

SEC. 7. No debt by loan in any form shall be contracted by any school district for the purpose of erecting and furnishing school buildings, or purchasing grounds, unless the proposition to create such debt shall first be submitted to such qualified electors of the districts as shall have paid a school tax therein, in the year next preceding such election, and a majority of those voting thereon shall vote in favor of incurring such debt.

SEC. 8. No city or town shall contract any debt by loan in any form, except by means of an ordinance, which shall be irrepealable until the indebtedness therein provided for shall have been fully paid or discharged; specifying the purposes to which the funds to be raised shall be applied, and providing for the levy of a tax, not exceeding twelve mills on each dollar of valuation of taxable property within such city or town, sufficient to pay the annual interest, and extinguish the principal of such debt within fifteen, but not less than ten years from the creation thereof; and such tax when collected shall be applied only to the purposes in such ordinance specified, until the indebtedness shall be paid or discharged. But no such debt shall be created unless

the question of incurring the same shall, at a regular election for councilmen, aldermen, or officers of such city or town, be submitted to a vote of such qualified electors thereof as shall, in the year next preceding, have paid a property tax therein, and a majority of those voting on the question, by ballot deposited in a separate ballot-box, shall vote in favor of creating such debt; but the aggregate amount of debt so created, together with the debt existing at the time of such election, shall not at any time exceed three per cent. of the valuation last aforesaid. Debts contracted for supplying water to such city or town are excepted from the operation of this section. The valuation in this section mentioned shall be in all cases that of the assessment next preceding the last assessment before the adoption of such ordinance.

SEC. 9. Nothing contained in this article shall be so construed as to either impair or add to the obligation of any debt heretofore contracted by any county, city, town, or school district, in accordance with the laws of Colorado Territory, or prevent the contracting of any debt, or the issuing of bonds therefor, in accordance with said laws, upon any proposition for that purpose which may have been, according to said laws, submitted to a vote of the qualified electors of any county, city, town, or school district before the day on which this Constitution takes effect.

ARTICLE XII.

OFFICERS.

SECTION 1. Every person holding any civil office under the State or any municipality therein, shall, unless removed according to law, exercise the duties of such office until his successor is duly qualified; but this shall not apply to members of the General Assembly, nor to members of any board or assembly, two or more of whom are elected at the same time; the General Assembly may by law provide for suspending any officer in his functions, pending impeachment or prosecution for misconduct in office.

SEC. 2. No person shall hold any office or employment of trust or profit, under the laws of the State or any ordinance of any municipality therein, without devoting his personal attention to the duties of the same.

SEC. 3. No person who is now or hereafter may become a collector or receiver of public money, or the deputy or assistant of such collector or receiver, and who shall have become a defaulter in his office, shall be eligible to or assume the duties of any office of trust or profit in this State, under the laws thereof, or of any municipality

therein, until he shall have accounted for and paid over all public money for which he may be accountable.

SEC. 4. No person hereafter convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subornation of perjury, shall be eligible to the General Assembly, or capable of holding any office of trust or profit in this State.

SEC. 5. The District Court of each county shall, at each term thereof, specially give in charge to the grand jury, if there be one, the laws regulating the accountability of the County Treasurer, and shall appoint a committee of such grand jury, or of other reputable persons, not exceeding five, to investigate the official accounts and affairs of the Treasurer of such county, and report to the Court the condition thereof. The Judge of the District Court may appoint a like committee in vacation at any time, but not oftener than once in every three months. The District Court of the county wherein the seat of government may be, shall have the like power to appoint committees to investigate the official accounts and affairs of the State Treasurer and the Auditor of State.

SEC. 6. Any civil officer or member of the General Assembly who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation or person, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote, official influence or action, or for withholding the same, or with an understanding that his official influence or action shall be in any way influenced thereby, or who shall solicit or demand any such money or advantage, matter or thing aforesaid for another, as the consideration of his vote, official influence or action, or for withholding the same, or shall give or withhold his vote, official influence or action, in consideration of the payment or promise of such money, advantage, matter or thing to another, shall be held guilty of bribery, or solicitation of bribery, as the case may be, within the meaning of the Constitution, and shall incur the disabilities provided thereby for such offense, and such additional punishment as is or shall be prescribed by law.

SEC. 7. Every member of the General Assembly shall, before he enters upon his official duties, take an oath or affirmation to support the Constitution of the United States and of the State of Colorado, and to faithfully perform the duties of his office according to the best of his ability. This oath or affirmation shall be administered in the hall of the House to which the member shall have been elected.

SEC. 8. Every civil officer, except members of the General As-

sembly and such inferior officers as may be by law exempted, shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation to support the Constitution of the United States and of the State of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter.

SEC. 9. Officers of the Executive Department and Judges of the Supreme and District Courts, and District Attorneys, shall file their oaths of office with the Secretary of State; every other officer shall file his oath of office with the County Clerk of the county wherein he shall have been elected.

SEC. 10. If any person elected or appointed to any office shall refuse or neglect to qualify therein within the time prescribed by law, such office shall be deemed vacant.

SEC. 11. The term of office of any officer elected to fill a vacancy shall terminate at the expiration of the term during which the vacancy occurred.

SEC. 12. No person who shall hereafter fight a duel, or assist in the same as a second, or send, accept or knowingly carry a challenge therefor, or agree to go out of the State to fight a duel, shall hold any office in the State.

ARTICLE XIII.

IMPEACHMENTS.

SECTION 1. The House of Representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor or Lieutenant Governor is on trial, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

SEC. 2. The Governor and other State and Judicial Officers, except County Judges and Justices of the Peace, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

SEC. 3. All officers not liable to impeachment shall be subject to

removal for misconduct or malfeasance in office, in such manner as may be provided by law.

ARTICLE XIV.

COUNTIES.

SECTION 1. The several counties of the Territory of Colorado, as they now exist, are hereby declared to be counties of the State.

SEC. 2. The General Assembly shall have no power to remove the county seat of any county, but the removal of county seats shall be provided for by general law, and no county seat shall be removed unless a majority of the qualified electors of the county, voting on the proposition at a general election, vote therefor; and no such proposition shall be submitted oftener than once in four years, and no person shall vote on such proposition who shall not have resided in the county six months, and in the election precinct ninety days next preceding such election.

SEC. 3. No part of the territory of any county shall be striken off and added to an adjoining county, without first submitting the question to the qualified voters of the county from which the territory is proposed to be stricken off; nor unless a majority of all the qualified voters of said county voting on the question shall vote therefor.

SEC. 4. In all cases of the establishment of any new county, the new county shall be held to pay its ratable proportion of all then existing liabilities of the county or counties from which such new county shall be formed.

SEC. 5. When any part of the county is stricken off and attached to another county, the part stricken off shall be held to pay its ratable proportion of all then existing liabilities of the county from which it is taken.

COUNTY OFFICERS.

SEC. 6. In each county there shall be elected for the term of three years, three County Commissioners, who shall hold sessions for the transaction of county business as provided by law; any two of whom shall constitute a quorum for the transaction of business. One of said commissioners shall be elected on the first Tuesday of October, eighteen hundred and seventy-six, and every year thereafter one such officer shall be elected in each county, at the general election, for the term of three years: *Provided*, That when the population of any county shall exceed ten thousand, the Board of County Commissioners may consist of five members, who shall be elected as provided by

law, any three of whom shall constitute a quorum for the transaction of business.

SEC. 7. The compensation of all county and precinct officers shall be as provided by law.

SEC. 8. There shall be elected in each county, on the first Tuesday of October, in the year one thousand eight hundred and seventy-seven, and every alternate year forever thereafter, one County Clerk, who shall be *ex-officio* Recorder of Deeds and Clerk of the Board of County Commissioners; one Sheriff, one Coroner, one Treasurer, who shall be collector of taxes; one County Superintendent of Schools, one County Surveyor, and one County Assessor.

SEC. 9. In case of a vacancy occurring in the office of County Commissioner, the Governor shall fill the same by appointment; and in the case of a vacancy in any other county office, or in any precinct office, the Board of County Commissioners shall fill the same by appointment; and the person appointed shall hold the office until the next general election, or until the vacancy be filled by election according to law.

SEC. 10. No person shall be eligible to any county office unless he be a qualified elector; nor unless he shall have resided in the county one year preceding his election.

SEC. 11. There shall, at the first election at which county officers are chosen, and annually thereafter, be elected in each precinct one Justice of the Peace and one Constable, who shall each hold his office for the term of two years: *Provided*, That in precincts containing five thousand or more inhabitants, the number of justices and constables may be increased as provided by law.

SEC. 12. The General Assembly shall provide for the election or appointment of such other county, township, precinct and municipal officers as public convenience may require; and their terms of office shall be as prescribed by law, not in any case to exceed two years.

SEC. 13. The General Assembly shall provide, by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four, and the powers of each class shall be defined by general laws, so that all municipal corporations of the same class shall possess the same powers, and be subject to the same restrictions.

SEC. 14. The General Assembly shall also make provision, by general law, whereby any city, town or village, incorporated by any special or local law, may elect to become subject to and be governed by the general law relating to such corporations.

SEC. 15. For the purpose of providing for and regulating the

compensation of county and precinct officers, the General Assembly shall, by law, classify the several counties of the State according to population, and shall grade and fix the compensation of the officers within the respective classes according to the population thereof. Such law shall establish scales of fees to be charged and collected by such of the county and precinct officers as may be designated therein, for services to be performed by them respectively; and where salaries are provided, the same shall be payable only out of the fees actually collected in all cases where fees are prescribed. All fees, perquisites and emoluments, above the amount of such salaries, shall be paid into the county treasury.

ARTICLE XV.

CORPORATIONS.

SECTION 1. All existing charters or grants of special or exclusive privileges, under which the corporators or grantees shall not have organized and commenced business in good faith at the time of the adoption of this Constitution, shall thereafter have no validity.

SEC. 2. No charter of incorporations shall be granted, extended, changed or amended by special law, except for such municipal, charitable, educational, penal or reformatory corporations as are or may be under the control of the State; but the General Assembly shall provide by general laws for the organization of corporations hereafter to be created.

SEC. 3. The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of the State, in such manner, however, that no injustice shall be done to the corporators.

SEC. 4. All railroads shall be public highways, and all railroad companies shall be common carriers. Any association or corporation organized for the purpose, shall have the right to construct and operate a railroad between any designated points within this State, and to connect at the State line with railroads of other States and Territories. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad.

SEC. 5. No railroad corporation or the lessees or managers thereof, shall consolidate its stock, property or franchises with any other railroad corporation owning or having under its control a parallel or competing line.

SEC. 6. All individuals, associations and corporations shall have equal rights to have persons and property transported over any rail-

road in this State, and no undue or unreasonable discrimination shall be made in charges or in facilities for transportation of freight or passengers within the State, and no railroad company, nor any lessee, manager or employe thereof, shall give any preference to individuals, associations, or corporations in furnishing cars or motive power.

SEC. 7. No railroad or other transportation company in existence, at the time of the adoption of this Constitution, shall have the benefit of any future legislation without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution in binding form.

SEC. 8. The right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the police powers of the State shall never be abridged, or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals, or the general well-being of the State.

SEC. 9. No corporation shall issue stocks or bonds, except for labor done, services performed, or money or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding a majority of the stock, first obtained at a meeting held after at least thirty days' notice given in pursuance of law.

SEC. 10. No foreign corporation shall do any business in this State without having one or more known places of business, and an authorized agent or agents in the same, upon whom process may be served.

SEC. 11. No street railroad shall be constructed within any city, town, or incorporated village, without the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

SEC. 12. The General Assembly shall pass no law for the benefit of a railroad or other corporation, or any individual, or association of individuals, retrospective in its operation, or which imposes on the people of any county or municipal subdivision of the State, a new liability in respect to transactions or considerations already past.

SEC. 13. Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same with other lines, and the General Assembly

shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with, or hold a controlling interest in, the stock or bonds of any other telegraph company owning or having the control of a competing line, or acquire, by purchase or otherwise, any other competing line of telegraph.

SEC. 14. If any railroad, telegraph, express, or other corporation organized under any of the laws of this State, shall consolidate, by sale or otherwise, with any railroad, telegraph, express, or other corporation organized under any laws of any other State or Territory, or of the United States, the same shall not thereby become a foreign corporation, but the courts of this State shall retain jurisdiction over that part of the corporate property within the limits of the State in all matters which may arise, as if said consolidation had not taken place.

SEC. 15. It shall be unlawful for any person, company or corporation to require of its servants or employes, as a condition of their employment or otherwise, any contract or agreement whereby such person, company or corporation shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employes while in the service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employes thereof, and such contracts shall be absolutely null and void.

ARTICLE XVI.

MINING AND IRRIGATION.

MINING.

SECTION 1. There shall be established and maintained the office of Commissioner of Mines, the duties and salary of which shall be prescribed by law. When said office shall be established, the Governor shall, with the advice and consent of the Senate, appoint thereto a person known to be competent, whose term of office shall be four years.

SEC. 2. The General Assembly shall provide by law for the proper ventilation of mines, the construction of escapement shafts, and such other appliances as may be necessary to protect the health and secure the safety of the workmen therein, and shall prohibit the employment in the mines of children under twelve years of age.

SEC. 3. The General Assembly may make such regulations, from time to time, as may be necessary for the proper and equitable drainage of mines.

SEC. 4. The General Assembly may provide that the science of

mining and metallurgy be taught in one or more of the institutions of learning under the patronage of the State.

IRRIGATION.

SEC. 5. The water of every natural stream, not heretofore appropriated, within the State of Colorado, is hereby declared to be the property of the public, and the same is dedicated to the use of the people of the State, subject to appropriation as hereinafter provided.

SEC. 6. The right to divert the unappropriated waters of any natural stream to beneficial uses shall never be denied. Priority of appropriation shall give the better right as between those using the water for the same purpose; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall have the preference over those claiming for any other purpose, and those using the water for agricultural purposes shall have preference over those using the same for manufacturing purposes.

SEC. 7. All persons and corporations shall have the right of way across public, private, and corporate lands for the construction of ditches, canals and flumes, for the purpose of conveying water for domestic purposes, for the irrigation of agricultural lands, and for mining and manufacturing purposes, and for drainage, upon payment of just compensation.

SEC. 8. The General Assembly shall provide by law that the Board of County Commissioners, in their respective counties, shall have power, when application is made to them by either party interested, to establish reasonable maximum rates to be charged for the use of water, whether furnished by individuals or corporations.

ARTICLE XVII.

MILITIA.

SECTION 1. The militia of the State shall consist of all able-bodied male residents of the State, between the ages of eighteen and forty-five years; except such persons as may be exempted by the laws of the United States, or of the State.

SEC. 2. The organization, equipment and discipline of the militia shall conform, as nearly as practicable, to the regulations for the government of the armies of the United States.

SEC. 3. The Governor shall appoint all general, field and staff officers, and commission them. Each company shall elect its own officers, who shall be commisssoned by the Governor; but if any com-

pany shall fail to elect such officers within the time prescribed by law, they may be appointed by the Governor.

SEC. 4. The General Assembly shall provide for the safe-keeping of the public arms, military records, relics and banners of the State.

SEC. 5. No person having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace: *Provided*, such person shall pay an equivalent for such exemption.

ARTICLE XVIII.

MISCELLANEOUS.

SECTION 1. The General Assembly shall pass liberal homestead and exemption laws.

SEC. 2. The General Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

SEC. 3. It shall be the duty of the General Assembly to pass such laws as may be necessary and proper to decide differences by arbitrators, to be appointed by mutual agreement of the parties to any controversy, who may choose that mode of adjustment. The powers and duties of such arbitrators shall be as prescribed by law.

SEC. 4. The term felony, wherever it may occur in this Constitution, or the laws of the State, shall be construed to mean any criminal offense punishable by death or imprisonment in the penitentiary, and none other.

SEC. 5. The General Assembly shall prohibit by law the importation into this State, for the purpose of sale, of any spurious, poisonous, or drugged spirituous liquors, or spirituous liquors adulterated with any poisonous or deleterious substance, mixture or compound; and shall prohibit the compounding or manufacture within this State, except for chemical or mechanical purposes, of any of said liquors, whether they be denominated spirituous, vinous, malt or otherwise; and shall also prohibit the sale of any such liquors to be used as a beverage, and any violation of either of said prohibitions shall be punished by fine and imprisonment. The General Assembly shall provide by law for the condemnation and destruction of all spurious, poisonous, or drugged liquors herein prohibited.

SEC. 6. The General Assembly shall enact laws in order to prevent the destruction of, and to keep in good preservation, the forests upon the lands of the State, or upon lands of the public domain, the control of which shall be conferred by Congress upon the State.

SEC. 7. The General Assembly may provide that the increase in the value of private lands, caused by the planting of hedges, orchards,

and forests thereon, shall not, for a limited time, to be fixed by law, be taken into account in assessing such lands for taxation.

SEC. 8. The General Assembly shall provide for the publication of the laws passed at each session thereof; and, until the year 1900, they shall cause to be published in Spanish and German, a sufficient number of copies of said laws to supply that portion of the inhabitants of the State who speak those languages, and who may be unable to read and understand the English language.

ARTICLE XIX.

FUTURE AMENDMENTS.

SECTION 1. The General Assembly may, at any time, by a vote of two-thirds of the members elected to each house, recommend to the electors of the State, to vote at the next general election, for or against a Convention to revise, alter and amend this Constitution; and if a majority of those voting on the question shall declare in favor of such Convention, the General Assembly shall, at its next session, provide for the calling thereof. The number of members of the Convention shall be twice that of the Senate, and they shall be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the Convention, designate the day, hour and place of its meeting; fix the pay of its members and officers, and provide for the payment of the same, together with the necessary expenses of the Convention. Before proceeding the members shall take an oath to support the Constitution of the United States and of the State of Colorado, and to faithfully discharge their duties as members of the Convention. The qualifications of members shall be the same as of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said Convention shall meet within three months after such election, and prepare such revisions, alterations or amendments to the Constitution as may be deemed necessary, which shall be submitted to the electors for their ratification or rejection at an election appointed by the Convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved by a majority of the electors voting at the election, no such revision, alteration or amendment shall take effect.

SEC. 2. Any amendment or amendments to this Constitution may be proposed in either House of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each House, such proposed amendments, together with the ayes and

noes of each House thereon, shall be entered in full on their respective journals; and the Secretary of State shall cause the said amendment or amendments to be published in full in at least one newspaper in each county (if such there be), for three months previous to the next general election for members to the General Assembly; and at said election the said amendment or amendments shall be submitted to the qualified electors of the State for their approval or rejection, and such as are approved by a majority of those voting thereon, shall become part of this Constitution; but the General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session.

SCHEDULE.

That no inconvenience may arise by reason of the change in the form of government, it is hereby ordained and declared:

SECTION 1. That all laws in force at the adoption of this Constitution shall, so far as not inconsistent therewith, remain of the same force as if this Constitution had not been adopted until they expire by their own limitation, or are altered or repealed by the General Assembly; and all rights, actions, prosecutions, claims and contracts of the Territory of Colorado, counties, individuals or bodies corporate (not inconsistent therewith), shall continue as if the form of government had not been changed and this Constitution adopted.

SEC. 2. That all recognizances, obligations and all other instruments entered into or executed before the admission of the State, to the Territory of Colorado, or to any county, school district, or other municipality therein, or any officer thereof, and all fines, taxes, penalties, and forfeitures due or owing to the Territory of Colorado, or any such county, school district or municipality, or officer, and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue and remain unaffected by the change of the form of government. All indictments which shall have been found, or may hereafter be found, and all informations which shall have been filed, or may hereafter be filed, for any crime or offense committed before this Constitution takes effect, may be proceeded upon as if no change had taken place, except as otherwise provided in the Constitution.

SEC. 3. That all property, real and personal, and all moneys, credits, claims, and choses in action, belonging to the Territory of

Colorado, at the adoption of this Constitution, shall be vested in and become the property of the State of Colorado.

SEC. 4. The General Assembly shall pass all necessary laws to carry into effect the provisions of the Constitution.

SEC. 5. Whenever any two of the Judges of the Supreme Court of the State, elected or appointed under the provisions of this Constitution, shall have qualified in their office the causes theretofore pending in the Supreme Court of the Territory, and the papers, records and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Supreme Court of the State; and, until so superceded, the Supreme Court of the Territory, and the Judges thereof, shall continue with like powers and jurisdiction as if this Constitution had not been adopted. Whenever the Judge of the District Court of any district, elected or appointed under the provisions of this Constitution, shall have qualified in his office, the several causes theretofore pending in the District Court of the Territory, within any county in such district, and the records, papers, and proceedings of said District Court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the District Court of the State for such county, and until the district courts of the Territory shall be superceded in manner aforesaid, the said district courts and the Judges thereof shall continue with the same jurisdiction and powers to be exercised in the same judicial districts respectively as heretofore constituted under the laws of the Territory.

SEC. 6. The terms of office of the several Judges of the Supreme and District Courts and the District Attorneys of the several judicial districts first elected under this Constitution, shall commence from the day of filing their respective oaths of office in the office of the Secretary of State.

SEC. 7. Until otherwise provided by law, the seals now in use in the Supreme and District Courts of this Territory are hereby declared to be the seals of the Supreme and District Courts respectively of the State.

SEC. 8. Whenever this Constitution shall go into effect, the books, records, papers and proceedings of the Probate Court in each county, and all causes and matters of administration pending therein, shall pass into the jurisdiction and possession of the County Court of the same county, and the said County Court shall proceed to final decree or judgment, order or other determination, in the said several matters and causes as the said Probate Court might have done if this Constitution had not been adopted. And until the election of the County

Judges provided for in this Constitution, the Probate Judges shall act as Judges of the County Courts within their respective counties, and the seal of the Probate Court in each county shall be the seal of the County Court therein until the said court shall have procured a proper seal.

SEC. 9. The terms "Probate Court" or "Probate Judge," whenever occurring in the statutes of Colorado Territory, shall, after the adoption of this Constitution, be held to apply to the County Court or County Judge; and all laws specially applicable to the Probate Court in any county, shall be construed to apply to and be in force as to the County Court in the same county, until repealed.

SEC. 10. All county and precinct officers who may be in office at the time of the adoption of this Constitution, shall hold their respective offices for the full time for which they may have been elected, and until such time as their successors may be elected and qualified, in accordance with the provisions of this Constitution, and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted.

SEC. 11. All county offices that may become vacant during the year one thousand eight hundred and seventy-six, by the expiration of the term of the persons elected to said offices, shall be filled at the general election on the first Tuesday in October, in the year one thousand eight hundred and seventy-six, and, except County Commissioners, the persons so elected shall hold their respective offices for the term of one year.

SEC. 12. The provisions of this Constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Colorado admitted into the Union; and the Governor, Secretary, Treasurer, Auditor, and Superintendent of Public Instruction of the Territory of Colorado shall continue to discharge the duties of their respective offices after the admission of the State into the Union, until the qualification of the officers elected or appointed under the State government; and said officers, for the time they may serve, shall receive the same compensation as the State officers shall by law be paid for like services.

SEC. 13. In case of a contest of election between candidates, at the first general election under this Constitution, for Judges of the Supreme, District, or County Courts, or District Attorneys, the evidence shall be taken in the manner prescribed by Territorial law; and the testimony so taken shall be certified to the Secretary of State, and said officer, together with the Governor and Attorney General, shall

review the testimony and determine who is entitled to the certificate of election.

SEC. 14. The votes at the first general election under this Constitution for the several offices provided for in this Constitution who are to be elected at the first election, shall be canvassed in the manner prescribed by the Territorial law for canvassing votes for like officers. The votes cast for the Judges of the Supreme and District Courts and District Attorneys shall be canvassed by the county canvassing board in the manner prescribed by the Territorial law for canvassing the votes for members of the General Assembly; and the County Clerk shall transmit the abstract of votes to the Secretary of the Territory, acting as Secretary of State, under the same regulations as are prescribed by law for sending the abstracts of votes for Territorial officers; and the aforesaid acting Secretary of State, Auditor, Treasurer, or any two of them, in the presence of the Governor, shall proceed to canvass the votes, under the regulations of sections thirty-five and thirty-six of chapter twenty-eight of the Revised Statutes of Colorado Territory.

SEC. 15. Senators and members of the House of Representatives shall be chosen by the qualified electors of the several senatorial and representative districts as established in this Constitution, until such districts shall be changed by law, and thereafter by the qualified electors of the several districts as the same shall be established by law.

SEC. 16. The votes cast for Representatives in Congress at the first election held under this Constitution, shall be canvassed, and the result determined in the manner provided by the laws of the Territory for the canvass of votes for Delegate in Congress.

SEC. 17. The provision of the Constitution that no bill, except the general appropriation bill, introduced in either House after the first twenty-five days of the session shall become a law, shall not apply to the first session of the General Assembly; but no bill, introduced in either House at the first session of the General Assembly after the first fifty days thereof, shall become a law.

SEC. 18. A copy of the abstracts of the votes cast at the first general election held under this Constitution, shall, by the County Clerks of the several counties, be returned to the Secretary of the Territory immediately after the canvass of said votes in their several counties; and the Secretary, Auditor, and Treasurer of the Territory, or any two of them, shall, on the twenty-fifth day after the election, meet at the seat of government and proceed to canvass the votes cast

for members of the General Assembly, and determine the result thereof.

SEC. 19. The General Assembly shall, at their first session, immediately after the organization of the two Houses, and after the canvass of the votes for the officers of the Executive Department, and before proceeding to other business, provide, by act or joint resolution, for the appointment, by said General Assembly, of electors in the electoral college; and such joint resolution, or the bill for such enactment, may be passed without being printed or referred to any committee, or read on more than one day in either House, and shall take effect immediately after the concurrence of the two Houses therein, and the approval of the Governor thereto shall not be necessary.

SEC. 20. The General Assembly shall provide that after the year one thousand eight hundred and seventy-six, the electors of the electoral college shall be chosen by direct vote of the people.

SEC. 21. The General Assembly shall have power, at their first session, to provide for the payment of the expenses of this Convention, if any there be then remaining unpaid.

SEC. 22. All recognizances, bail bonds, official bonds, and other obligations or undertakings which have been, or at any time before the admission of the State, shall be made or entered into and expressed to be payable to the people of the Territory of Colorado, shall continue in full force, notwithstanding the change in the form of government; and any breach thereof, whenever occurring, may, after the admission of the State, be prosecuted in the name of the people of the State.

Done in Convention, at the City of Denver, Colorado, this fourteenth day of March, in the year of our Lord one thousand eight hundred and seventy-six, and of the Independence of the United States the one hundredth.

In Witness Whereof, We have hereunto subscribed our names.

J. C. WILSON, *President.*

H. P. H. BROMWELL,	H. R. CROSBY,
CASIMIRO BARELA,	ROBERT DOUGLAS,
GEORGE BOYLES,	L. C. ELLSWORTH,
W. E. BECK,	C. P. ELDER,
BYRON L. CARR,	F. J. EBERT,
WM. H. CUSHMAN,	W. B. FELTON,
W. M. CLARK,	J. M. GARCIA,
A. D. COOPER,	DANIEL HURD,

JOHN S. HOUGH,	WILBUR F. STONE,
LAFAYETTE HEAD,	W. C. STOVER,
WM. H. JAMES,	H. C. THATCHER,
WM. R. KENNEDY,	AGAPETA VIGIL,
WM. L. LEE,	W. W. WEBSTER,
ALVIN MARSH,	G. G. WHITE,
WM. H. MEYER,	E. T. WELLS,
S. J. PLUMB,	P. P. WILCOX,
GEO. E. PEASE,	J. S. WHEELER,
ROBERT A. QUILLIAN,	J. W. WIDDERFIELD,
A. K. YOUNT,	LEWIS C. ROCKWELL,

Attest:

W. W. COULSON, *Secretary.*
HERBERT STANLEY, *1st Assistant Secretary.*
H. A. TERPENNING, *2d Assistant Secretary.*

ORDINANCES.

In conformity with the requirements of an Act of the Congress of the United States, entitled "An Act to enable the people of Colorado to form a Constitution and State Government, and for the admission of said State into the Union on an equal footing with the original States," approved March 3, A. D. 1875, on behalf and by the authority of the people of the Territory of Colorado, this Convention assembled in pursuance of said Enabling Act, at the city of Denver, the capital of said Territory, on the twentieth day of December, A. D. 1875, does ordain and declare:

First—That an election shall be held throughout the Territory of Colorado, on the first day of July, in the year one thousand eight hundred and seventy-six, for ratification or rejection of the Constitution framed and adopted by the Convention.

Second—At said election the Constitution framed and adopted by this Convention, shall be submitted to the people of the Territory for their ratification or rejection, and all persons who are then qualified electors under the laws of the Territory, shall be qualified to vote upon the ratification or rejection thereof.

Third—Said election shall be held at the several places in the several wards and precincts throughout the Territory, appointed for the holding of elections under the laws of the Territory, and shall be conducted in the manner prescribed by the laws of said Territory regulating elections. The judges of elections, appointed under the laws of the Territory, in each of said wards and precincts, shall act as the

judges of said election, and vacancies in the board of judges of any ward or precinct shall be filled, and clerks of election shall be appointed, in the manner prescribed by said laws: *Provided,* That no law requiring a registration of voters shall apply to said election, and any qualified elector may at said election vote at any ward or precinct in the Territory. Whenever any person shall present himself to vote at said election, and either of the judges shall suspect that such person is not a qualified elector of the Territory, or if his vote shall be challenged by any elector who has previously voted at the said election, then before the ballot of such person shall be received, he shall take and subscribe the following oath or affirmation: "You do solemnly swear (or affirm) that you are a resident of ——— county, in the Territory of Colorado; that you have resided in this Territory six months immediately preceding this election; that you have, to the best of your knowledge and belief, attained the age of twenty-one years, and have not voted at this election."

Fourth—Each elector voting at said election shall deposit in the ballot-box a ticket, whereon shall be printed or written the words "For the Constitution," or the words, "Against the Constitution," or other equivalent words.

Fifth—The acting Governor of the Territory shall, within thirty days after the adjournment of this Convention, issue his proclamation for said election, to be held in conformity with the provisions of this ordinance; and the Secretary of the Territory shall, on or before the fifteenth day of May, A. D. 1876, make out and transmit to the sheriff of each county a notice in writing of said election, together with a copy of this ordinance.

Sixth—The votes cast at said election for the adoption or rejection of the Constitution, shall be canvassed in the manner prescribed by the laws of the Territory of Colorado for canvassing the votes at general elections; and the returns of said election shall be made to the acting Governor of the Territory, who, with the Chief Justice and the United States Attorney of said Territory, or any two of them, shall canvass the same, and if a majority of the legal votes cast shall be for the Constitution, the acting Governor shall certify the same to the President of the United States, together with a copy of said Constitution and the Ordinances adopted by this Convention.

In conformity with the requirements of an Act of the Congress of the United States, entitled "An Act to enable the People of Colorado to form a Constitution and State Government, and for the admis-

sion of said State into the Union on an equal footing with the original States," approved March 3d, A. D. 1875, on behalf and by the authority of the People of the Territory of Colorado, this Convention, assembled in pursuance of said Enabling Act, at the city of Denver, the capital of said Territory, on the 20th day of December, A. D. 1875, does ordain and declare:

First—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Second—That the people inhabiting the Territory of Colorado, by their representatives in said Convention assembled, do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposal of the United States; that the lands belonging to citizens of the United States residing without said State, shall never be taxed higher than the lands belonging to residents thereof; and that no taxes shall be imposed by the State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

Third—That this Ordinance shall be irrevocable without the consent of the United States and the people of the State of Colorado.

BE IT REMEMBERED, That in the Convention of the Representatives of the People of the Territory of Colorado, chosen in pursuance of the Act of Congress of the United States, entitled "An Act to enable the People of Colorado to form a Constitution and State Government, and for the admission of the said State into the Union on an equal footing with the original States," approved March 3d, A. D. 1875, and assembled at the seat of government of said Territory, in pursuance of said Act, on the twentieth day of December, A. D. 1875, after the organization of said Convention, and before proceeding to other business, it was, on the 22d day of December, A. D. 1875,

Resolved—That in pursuance of the Enabling Act, and in behalf of the People of Colorado, we in convention assembled, do adopt the Constitution of the United States.

The constitution was submitted to the people and adopted July 1st, 1876, by a large majority. The votes returned stood 15,443 for, and 4,039 against the constitution. This constitution is an admirable production, and reflects great credit on those who framed it. Though not perfect, it contains the excellencies of all the State constitutions so far promulgated, and largely conforms in spirit to the liberality

and intelligence of the people for whom it was prepared. President Grant, empowered by Congress, on July 4th, 1876, just one century since the declaration of independence, admitted the new State into the Union by proclamation. Hence Colorado's title—"The Centennial State." (The honor of first applying this title to Colorado is due to Capt. R. W. Woodbury, editor and proprietor of the *Denver Times*.)

THE PROCLAMATION OF THE PRESIDENT ADMITTING THE STATE OF COLORADO INTO THE UNION.

WHEREAS, The Congress of the United States did, by an act approved on the third day of March, one thousand eight hundred and seventy-five, authorize the inhabitants of the Territory of Colorado to form for themselves, out of said Territory, a State Government, with the name of the State of Colorado, and for the admission of such State into the Union on an equal footing with the original states upon certain conditions in said act specified; and,

WHEREAS, It was provided by said Act of Congress that the Convention elected by the people of said Territory to frame a State Constitution, should, when assembled for that purpose, and after organization, declare on behalf of the people that they adopt the Constitution of the United States, and should also provide by an ordinance, irrevocable without the consent of the United States and the people of said State, that perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship, and that the people inhabiting said Territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States, and that lands belonging to citizens of the United States residing without the said State, shall never be taxed higher than lands belonging to residents thereof, and that no taxes shall be imposed by the State on lands or property therein belonging to, or which may hereafter be purchased by, the United States; and,

WHEREAS, It was further provided by said Act that the Constitution thus formed for the people of the Territory of Colorado should, by an ordinance of the Convention forming the same, be submitted to the people of said Territory for ratification or rejection at an election to be held in the month of July, eighteen hundred and seventy-six, at which election the lawful voters of said new State should vote directly for or against the proposed Constitution, and the returns of said election should be made to the acting Governor of the Territory, who,

with the Chief Justice and United States attorney of said Territory, or any two of them, should canvass the same, and if a majority of legal votes should be cast for said Constitution in said proposed State, the said acting Governor should certify the same to the President of the United States, together with a copy of said Constitution and Ordinances; whereupon it should be the duty of the President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original states without any further action whatever on the part of Congress; and

WHEREAS, It has been certified to me by the acting Governor of said Territory of Colorado, that within the time prescribed by said Act of Congress a Constitution for said proposed State has been adopted, and the same ratified by a majority of the legal voters of said proposed new State, in accordance with the conditions prescribed by said Act of Congress; and

WHEREAS, A duly authenticated copy of said Constitution, and of the declaration and ordinances required by said Act of Congress has been received by me:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, do, in accordance with the provisions of the Act of Congress aforesaid, declare and proclaim the fact that the fundamental conditions imposed by Congress on the State of Colorado, to entitle that State to admission to the Union have been ratified and accepted, and that the admission of said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and have caused the seal of the United States to be affixed.

SEAL

Done at the city of Washington this first day of August, in the year of our Lord one thousand eight hundred and seventy-six, and of the independence of the United States of America the one hundred and first.

U. S. GRANT.

By the President:

HAMILTON FISH,

Secretary of State.

In the spring of this year the Atchison, Topeka and Santa Fe railroad was completed to Pueblo.

The Republican State Convention met at Pueblo August 23d, and the Democratic State Convention at Manitou, August 29th. Full state tickets were nominated by each convention. Both parties entered upon the campaign not only sanguine, but confident of success. Up to the day of election the most strenuous efforts were put forth to

insure victory. On the third day of October, as directed by the Constitution, the election was held. The vote polled was nearly 30,000. The entire Republican state ticket for the executive and judicial departments was elected. John L. Routt was chosen Governor; Lafayette Head, Lieutenant-Governor; William M. Clark, Secretary of State; D. C. Crawford, Auditor; George C. Corning, Treasurer; A. J. Sampson, Attorney General; Joseph C. Shattuck, Superintendent Public Instruction. The Legislature, in both House and Senate, had a Republican majority. In the Senate, nineteen Republicans and seven Democrats; in the House, thirty-one Republicans and eighteen Democrats. James B. Belford was elected Representative for the Forty-fourth and Forty-fifth Congresses. The Territoral Secretary had ordered an election for representative for the Forty-fourth Congress to be held October 3d, and afterwards an election for the Forty-fifth Congress to be held November 7th. On the third of October the people voted for a representative for both Congresses. The State Canvassing Board received and counted the returns. The Secretary recalled his order for an election November 7th, but an election was held, and Thomas M. Patterson received almost the entire vote. This vote the Canvassing Board refused to count. The next Congress will decide the contest.

At noon on November 1st the General Assembly convened. On November 3d the executive officers were duly inaugurated. Judge Brazee administered the oaths of office. The Governor then delivered his inaugural message to the General Assembly. This message of the first governor of the State of Colorado is a sensible and well-written document. Its statements are accurate and clear, and its suggestions thoroughly practical. He thus addresses the General Assembly: "The people, by their choice, have signified their faith in your wisdom, integrity, and patriotism, and I feel assured that their confidence will not have been misplaced. Upon you, Senators and Representatives, rests the responsibility of making our laws, and I trust that in your legislation you will have a single eye to the promotion of the general welfare. In this object it will be my greatest pleasure and chief aim to co-operate." In this message it is stated that the present export of gold and silver bullion and ores amounts to nearly $8,000,000 annually, with a prospect of an increase to $10,000,000 in the near future. The total value of real and personal property in Colorado, in 1876, is estimated to be about $100,000,000. Up to 1877 the bullion deposited in the Denver mint amounted to almost $70,000,000 in value. The population of Colorado in 1870 was about 40,000, in 1876, 135,000. In the early part of the session the General Assembly chose two Sena-

tors—Jerome B. Chaffee and Henry M. Teller; and three Presidential Electors—Herman Beckurts, W. L. Hadley, and Otto Mears. After a protracted session, the General Assembly adjourned *sine die*, March 20, 1877.

Colorado, on account of its altitude, is quite near that great ocean of positive electricity which envelops the earth about a mile from its surface. It is one of the great electrodes of the globe. All that ascend her high peaks are charged with this subtle element. To this, in a measure, is to be attributed that peculiar bracing and life-inspiring atmosphere for which Colorado is renowned. This atmosphere is dry, pure and clear, and nearly always pervaded with sunshine. The climate therefore possesses great restorative properties, and cannot fail to be a prominent resort for invalids. But besides this, in magnificent and varied scenery Colorado is not excelled by any other land, and in rich resources is unequalled. In Colorado large sums have been expended in imposing school structures, and teachers are liberally remunerated. A spirit of religious toleration that is truly gratifying prevails throughout the State. All creeds are represented, and, in general, well supported. Towns spring into existence and grow with magic speed; mines are developed with much energy; farms show thrift and prosperity; new railroads are projected; the lines of those already built are extending; manufactures increase, though slow in their establishment; and, notwithstanding an occasional exodus, the population steadily advances.

CONSTITUTION OF THE UNITED STATES.

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.

ARTICLE I.

SECTION I.

1. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II.

1. The House of Representatives shall be composed of members chosen every second year, by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts,

eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION III.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years, and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate; but shall have no vote unless they be equally divided.

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party

convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION IV.

1. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State, by the legislature thereof, but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

1. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with a concurrence of two-thirds, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to other place than that in which the two houses shall be sitting.

SECTION VI.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person

holding any office under the United States, shall be a member of either House during his continuance in office.

SECTION VII.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections, at large, on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays; and the names of persons voting for and against the bill, shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

The Congress shall have power,

1. To lay and collect taxes, duties, imposts and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States:

2. To borrow money on the credit of the United States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the United States:

7. To establish post offices and post roads:

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the supreme court. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations:

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

11. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

12. To provide and maintain a navy:

13. To make rules for the government and regulation of the land and naval forces:

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions:

15. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress:

16. To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings: and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION IX.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and

eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for such person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of Congress, accept any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION X.

1. No State shall enter into any treaty, alliance or confederation; grant letters of marque or reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four

years, and together with the Vice-President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then from the five highest on the list the said House shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of

the said office, the same shall devolve on the Vice-President, and the Congress, may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The president shall, at stated times, receive for his services a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

9. "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

SECTION II.

1. The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States. He may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

SECTION III.

1. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such

measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

SECTION IV.

1. The President and Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish.

2. The Judges, both of the Supreme and inferior Courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION II.

1. The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by a jury; and such trial shall be held in the State where the said crime shall have been committed; but when not committed within any

State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies; giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION I.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall

be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION IV.

1. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this constitution; or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into, before the adoption of this constitution, shall be as valid against the United States, under this constitution, as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several legislatures, and all executive and judicial officers, both of the United States and of the several States shall be bound, by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

1. The ratification of the conventions of nine States shall be

sufficient for the establishment of this constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth.

In Witness Whereof we have hereunto subscribed our names.

GEO. WASHINGTON, PRESIDENT, *and Deputy from Virginia.*

New Hampshire:
JOHN LANGDON,
NICHOLAS GILMAN,

Connecticut:
WM. SAMUEL JOHNSON,
ROGER SHERMAN.

New York:
ALEXANDER HAMILTON.

New Jersey:
WILLIAM LIVINGSTON,
DAVID BREARLEY,
WILLIAM PATTERSON,
JONATHAN DAYTON.

Pennsylvania:
BENJAMIN FRANKLIN,
THOMAS MIFFLIN,
ROBERT MORRIS,
GEORGE CLYMER,
THOMAS FITZSIMONS,
JARED INGERSOLL,
JAMES WILSON,
GOUVERNEUR MORRIS.

Delaware:
GEO. REED,
GUNNING BEDFORD, JR.

Massachusetts:
NATHANIEL GORHAM,
RUFUS KING.

JOHN DICKINSON,
RICHARD BASSET,
JACOB BROOM.

Maryland:
JAMES MCHENRY,
DANIEL OF ST. THOMAS JENIFER,
DANIEL CARROLL.

Virginia:
JOHN BLAIR,
JAMES MADISON, JR.

North Carolina:
WILLIAM BLOUNT,
RICHARD DOBBS SPAIGHT,
HUGH WILLIAMSON.

South Carolina:
JOHN RUTLEDGE,
C. COTESWORTH PINCKNEY,
CHARLES PINCKNEY,
PIERCE BUTLER,

Georgia:
WILLIAM FEW,
ABRAHAM BALDWIN.

Attest: WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

1. Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

ARTICLE II.

1. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

1. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

1. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

1. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property

without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

1. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

ARTICLE VII.

1. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

1. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

1. The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

1. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI.

1. The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

1. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State as themselves; they shall name in their ballots the person voted for as President; and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists

they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other Constitutional disability of the President.

2. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

1. Neither slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or

property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of Representatives therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave, but all such debts, obligations, and claims shall be held illegal and void.

5. That Congress have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

2. Congress shall have power to enforce this article by appropriate legislation.

MANUAL OF PARLIAMENTARY PRACTICE.

NOTE.—The rules and practices peculiar to the SENATE are printed between brackets [ ]. Those of PARLIAMENT are not so distinguished.

IMPORTANCE OF RULES.

SECTION I.

IMPORTANCE OF ADHERING TO RULES.

MR. ONSLOW, the ablest among the Speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced Members, that nothing tended more to throw power into the hands of the administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding: that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power." So far the maxim is certainly true, and it is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House; by a strict adherence to which, the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities. 2 *Hats.*, 171, 172.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business, not subject to the caprice

of the Speaker, or captiousness of the members. It is very material that order, decency, and regularity, be preserved in a dignified public body. 2 *Hats.*, 149.

SECTION II.

LEGISLATIVE.

[All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. *Constitution of the United States, Art.* 1, *Sec.* 1.]

[The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. *Constitution of the United States, Art.* 1, *Sec.* 6.]

[For the powers of Congress, see the following Articles and Sections of the Constitution of the United States: I., 4, 7, 8, 9; II., 1, 2; III., 3; IV., 1, 3, 5, and all the amendments.]

SECTION III.

PRIVILEGE.

The privileges of Members of Parliament, from small and obscure beginnings, have been advancing for centuries with a firm and never yielding pace. Claims seem to have been brought forward from time to time, and repeated, till some example of their admission enabled them to build law on that example. We can only, therefore, state the points of progression at which they now are. It is now acknowledged: 1st. That they are at all times exempted from question elsewhere for anything said in their own House; that during the time of privilege, 2d. Neither a Member himself, his* wife, nor his servants, (familaries sui,) for any matter of their own, may be† arrested on mesne process, in any civil suit: 3d. Nor be detained under execution, though levied before time of privilege: 4th. Nor impleaded, cited, or subpœnaed in any court: 5th. Nor summoned as a witness or juror: 6th. Nor may their lands or goods be distrained: 7th. Nor their persons assaulted, or characters traduced. And the period of time covered by privilege, before and after the session, with the practice of short prorogations under the connivance of the Crown, amounts in fact to a perpetual protection against the course of justice. In one instance, indeed, it has been relaxed by the 10 G. 3, c. 50, which permits judiciary proceedings to go on against them. That these privileges must be continually progressive, seems to result from their rejecting all definition of them; the doctrine being that "their dignity and independence are preserved by keeping their privileges indefinite; and that 'the

*Order of the House of Commons, 1663, July 16.

†Elsynge, 217; 1 Hats., 21; Grey's Deb., 133.

maxims upon which they proceed, together with the method of proceeding, rest entirely in their own breast, and are not defined and ascertained by any particular stated laws.'" 1 *Blackst.*, 163, 164.

[It was probably from this view of the encroaching character of privilege that the framers of our Constitution, in their care to provide that the law shall bind equally on all, and especially that those who make them shall not exempt themselves from their operation, have only privileged "Senators and Representatives" themselves from the single act of "arrest in all cases except treason, felony and breach of the peace, during their attendance at the session of their respective Houses, and in going to and returning from the same, and from being questioned in any other place for any speech or debate in either House." *Const. U. S., Art.* 1, *Sec.* 6. Under the general authority "to make all laws necessary and proper for carrying into execution the powers given them," *Const. U. S., Art.* 2, *Sec.* 8, they may provide by law the details which may be necessary for giving full effect to the enjoyment of this privilege. No such law being as yet made, it seems to stand at present on the following ground: 1. The act of arrest is void, ab initio.* 2. The member arrested may be discharged on motion, 1 *Bl.* 166; 3 *Stra.*, 990; or by habeas corpus under the Federal or State authority, as the case may be; or by a writ of privilege out of the Chancery, 2 *Stra.*, 989, in those States which have adopted that part of the laws of England. *Orders of the House of Commons*, 1550, *February* 20. 3. The arrest being unlawful, is a trespass for which the officers and others concerned are liable to action and indictment in the ordinary courts of justice, as in other cases of unauthorized arrest. 4. The court before which the process is returnable is bound to act as in other cases of unauthorized proceeding, and liable also, as in other similar cases, to have their proceedings stayed or corrected by the superior courts.]

[The time necessary for going to, and returning from, Congress, not being defined, it will, of course, be judged of in every particular case by those who will have to decide the case.] While privilege was understood in England to extend, as it does here, only to exemption from arrest, eundo, moranda, et redeundo, the House of Commons themselves decided that "a convenient time was to be understood." (1580) 1 *Hats.*, 99, 100. Nor is the law so strict in point of time as to require the party to set out immediately on his return, but allows him time to settle his private affairs, and to prepare for his journey; and does not even scan his road very nicely, nor forfeit his protection

*Stra., 989.

for a little deviation from that which is most direct; some necessity perhaps constraining him to it. 2 *Stra.*, 986, 987.

This privilege from arrest, privileges of course against all process, the disobedience to which is punishable by an attachment of the person; as a subpœna ad respondendum, or, testificandum, or a summons on a jury; and with reason, because a member has superior duty to perform in another place. [When a representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.]

[So far there will probably be no difference of opinion as to the privileges of the two Houses of Congress; but in the following cases it is otherwise. In December, 1795, the House of Representatives committed two persons of the name of Randall and Whitney, for attempting to corrupt the integrity of certain members, which they considered as a contempt and breach of the privileges of the House; and the facts being proved, Whitney was detained in confinement a fortnight, and Randall three weeks, and was reprimanded by the Speaker. In March, 1796, the House of Representatives voted a challenge given to a member of their House to be a breach of the privileges of the House; but satisfactory apologies and acknowledgments being made, no further proceeding was had. The editor of the *Aurora* having, in his paper of February 19, 1800, inserted some paragraphs defamatory of the Senate, and failed in his appearance, he was ordered to be committed. In debating the legality of this order, it was insisted, in support of it, that every man, by the law of nature, and every body of men, possesses the right of self-defence; that all public functionaries are essentially invested with the powers of self-preservation; that they have an inherent right to do all acts necessary to keep themselves in a condition to discharge the trusts confided to them; that whenever authorities are given, the means of carrying them into execution are given by necessary implication; that thus we see the British Parliament exercise the right of punishing contempts; all the State Legislatures exercise the same power, and every court does the same; that, if we have it not, we sit at the mercy of every intruder who may enter our doors or gallery, and, by noise and tumult, render proceeding in business impracticable; that if our tranquility is to be perpetually disturbed by newspaper defamation, it will not be possible to exercise our functions with the requisite coolness and deliberation; and that we must, therefore, have a power to punish these disturbers of our

peace and proceedings. To this it was answered, that the Parliament and courts of England have cognizance of contempts by the express provisions of their law; that the State Legislatures have equal authority, because their powers are plenary; they represent their constituents completely, and possess all their powers, except such as their Constitutions have expressly denied them; that the courts of the several States have the same powers by the laws of their States, and those of the Federal Government by the same State laws adopted in each State, by a law of Congress; that none of these bodies, therefore, derive those powers from natural or necessary right, but from express law; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in them," they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, &c.; but, till the law be made, it does not exist; and does not exist, from their own neglect; that in the mean time, however, they are not unprotected, the ordinary magistrates and courts of law being open and competent to punish all unjustifiable disturbances or defamations, and even their own sergeant, who may appoint deputies *ad libitum* to aid him, 3 *Grey*, 59, 147, 255, is equal to small disturbances; that in requiring a previous law, the Constitution had regard to the inviolability of the citizen, as well as of the member; as, should one House, in the regular form of a bill, aim at too broad privileges, it may be checked by the other, and both by the President; and also as, the law being promulgated, the citizen will know how to avoid offense. But if one branch may assume its own privileges without control; if it may do it on the spur of the occasion, conceal the law in its own breast, and after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined, and to be declared only *ex re nata*, and according to the passion of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed. Which of these doctrines is to prevail time will decide. Where there is no fixed law, the judgment on any particular case, is the law of that single case only, and dies with it. When a new and even similar case arises, the judgment which

is to make, and at the same time apply, the law, is open to question and consideration, as are all new laws. Perhaps Congress, in the meantime, in their care for the safety of the citizen as well as that for their own protection, may declare by law what is necessary and proper to enable them to carry into execution the powers vested in them, and thereby hang up a rule for the inspection of all, which may direct the conduct of the citizen, and at the same time test the judgments they shall themselves pronounce in their own case.]

Privilege from arrest takes place by force of the election; and before a return be made a member elected may be named of a committee, and is to every extent a member, except that he cannot vote until he is sworn. *Memor.*, 107, 108. *D'Ewes*, 642, *col.* 2; 643, *col.* 1. *Pet. Miscel. Parl.*, 119. *Lex. Parl. c.* 23. 2 *Hats.*, 22, 62.

Every man must, at his peril, take notice who are members of either House returned of record. *Lex. Parl.*, 23; 4 *Inst.*, 24.

On complaint of a breach of privilege, the party may either be summoned or sent for in custody of the sergeant. *Grey*, 88, 95.

The privilege of a member is the privilege of the House. If the member waive it without leave, it is a ground for punishing him, but cannot in effect waive the privilege of the House. 3 *Grey*, 140, 222.

For any speech or debate in either House, they shall not be questioned in any other place. *Const. U. S.*, *I*, 6; *S. P. protest of the Commons to James I.*, 1621; 2 *Rapin*, No. 54, pp. 211, 212. But this is restrained to things done in the House in a parliamentary course. 1 *Rush.*, 663. For he is not to have privilege contra morem parliamentarum, to exceed the bounds and limits of his place and duty. *Com. p.*

If an offense be committed by a member of the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it, till the House has punished the offender, or referred him to a due course. *Lex. Parl.*, 63.

Privilege is in the power of the House, and is a restraint to proceedings of inferior courts, but not of the House itself. 2 *Nalson*, 450; 2 *Grey*, 399. For whatever is spoken in the House is subject to the censure of the House; and offenses of this kind have been severely punished by calling the person to the bar to make submission, committing him to the tower, expelling the House, etc. *Scob.* 72; *L. Parl.*, *c.* 22.

It is a breach of order for the Speaker to refuse to put a question which is in order. 2 *Hats.*, 175–6; 5 *Grey*, 133.

And even in cases of treason, felony, and breach of the peace, to which privilege does not extend as to substance, yet in Parliament a

member is privileged as to the mode of proceeding. The case is first to be laid before the House, that it may judge of the fact and of the grounds of the accusation, and how far forth the manner of the trial may concern their privilege; otherwise it would be in the power of other branches of the government, and even of every private man, under pretenses of treason, etc., to take any man from his service in the House, and so as many, one after another, as would make the House what he pleaseth. *Dec. of the Com. on the King's declaring Sir John Hotham a traitor.* 4 *Rushw.*, 586. So, when a member stood indicted for felony, it was adjudged that he ought to remain of the House till conviction; for it may be any man's case, who is guiltless, to be accused and indicted of felony, or the like crime. 23 *El.*, 1580; *D'Ewes*, 283, *col* 1; *Lex. Parl.*, 133.

When it is found necessary for the public service to put a member under arrest, or when, on any public inquiry, matter comes out which may lead to affect the person of a member, it is the practice immediately to acquaint the House, that they may know the reasons for such a proceeding, and take such steps as they think proper. 2 *Hats.*, 259. Of which see many examples. *Ib.*, 256, 257, 258. But the communication is subsequent to the arrest. 1 *Blackst.*, 167.

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the Legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence that freedom of debate, which is essential to a free council. They are therefore not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the Legislature, until the same have been communicated to them in the usual parliamentary manner. 2 *Hats.*, 252. 4 *Inst.*, 15. *Seld, Jud.*, 53. Thus the king's taking notice of the bill for suppressing soldiers, depending before the House; his proposing a provisional clause for a bill before it was presented to him by the two Houses; his expressing displeasure against some persons for matters moved in parliament during the debate and preparation of a bill, were breaches of privilege; 2 *Nalson*, 347; and in 1783, December 17, it was declared a breach of fundamental privileges, etc., to report any opinion or pretended opinion of the king on any bill or proceeding depending in either House of Parliament, with a view to influence the votes of the members. 2 *Hats.*, 251, 6.

SECTION IV.

ELECTIONS.

[The times, places, and manner of holding elections for senators

and representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators *Const.*, I, 4.]

[Each House shall be the judge of the elections, returns, and qualifications of its own members. *Const.* I., 5.]

SECTION V.

QUALIFICATIONS.

[The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years; and each Senator shall have one vote.]

[Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the end of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of the State, any Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies.]

[No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen. *Const.* I., 3.]

[The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.]

[No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.]

[Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers; which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for

every thirty thousand, but each State shall have at least one representative. *Constitution of the United States*, I., 2.]

The provisional apportionments of Representatives made in the Constitution in 1787, and afterwards by Congress, were as follows:

STATES.	1787 [1]	1790 [2]	1800 [3]	1810 [4]	1820 [5]	1830 [6]	1840 [7]	1850 [8]	1860 [9]	1870 [10]
[11] Maine	..	..	..	..	7	8	7	6	5	5
New Hampshire	3	4	5	6	6	5	4	3	3	3
Massachusetts	8	14	17	20	13	12	10	11	10	11
Rhode Island	1	2	2	2	2	2	2	2	2	2
Connecticut	5	7	7	7	6	6	4	4	4	4
Vermont	..	2	4	6	5	5	4	3	3	3
New York	6	10	17	27	34	40	34	33	31	33
New Jersey	4	5	6	6	6	6	5	4	5	7
Pennsylvania	8	13	18	23	26	28	34	25	24	27
Delaware	1	1	1	2	1	1	1	1	1	1
Maryland	6	8	9	9	9	8	6	6	5	6
[12] Virginia	10	19	22	28	22	21	15	13	8	9
North Carolina	5	10	12	13	13	13	9	8	7	8
South Carolina	5	6	8	9	9	9	7	6	4	5
Georgia	3	2	4	6	7	9	18	8	7	9
Kentucky	..	2	6	10	12	13	10	10	9	10
[13] Tennessee	..	..	3	6	9	13	11	10	8	10
[14] Ohio	..	..	..	6	14	19	21	21	19	20
[15] Louisiana	..	..	..	..	3	3	4	4	5	6
[16] Indiana	..	..	..	..	3	7	10	11	11	13
[17] Mississippi	..	..	..	..	1	2	4	5	5	6
[18] Illinois	..	..	..	..	1	3	7	9	14	19
[19] Alabama	..	..	..	..	3	5	7	7	6	8
[20] Missouri	..	..	..	..	..	2	5	7	9	13
[21] Michigan	..	..	..	..	..	..	3	4	6	9
[22] Arkansas	..	..	..	..	..	..	1	2	3	4
[23] Florida	..	..	..	..	..	..	..	1	1	2
[24] Iowa	..	..	..	..	..	..	..	2	6	9
[25] Texas	..	..	..	..	..	..	..	2	4	6
[26] Wisconsin	..	..	..	..	..	..	..	3	6	8
[27] California	..	..	..	..	..	..	..	2	3	4
[28] Minnesota	..	..	..	..	..	..	..	2	2	3
[29] Oregon	..	..	..	..	..	..	..	1	1	1
[30] Kansas	..	..	..	..	..	..	..	..	1	3
[31] West Virginia	..	..	..	..	..	..	..	..	3	3
[32] Nevada	..	..	..	..	..	..	..	..	1	1
[33] Nebraska	..	..	..	..	..	..	..	..	1	1
[34] Colorado	..	..	..	..	..	..	..	..	..	..
	65	105	141	186	212	241	243	236	243	292

1 As per Constitution.

2 As per act of April 14, 1792, one representative for 30,000, first census.

3 As per act of January 14, 1802, one representative for 33,000, second census.

4 As per act of December 21, 1811, one representative for 35,000, third census.

5 As per act of March 7, 1822, one representative for 40,000, fourth census.

6 As per act of May 22, 1832, one representative for 47,700, fifth census.

7 As per act of June 25, 1842, one representative for 70,680, sixth census.

8 As per act of May 23, 1850, one representative for 98,702, seventh census.

By act of Congress of May 23, 1850, it was enacted that the number of Representatives in Congress should be 233; that the representative population determined

[When vacancies happen in the representation from any State the executive authority thereof shall issue writs of election to fill such vacancies. *Const. U. S., Art. I, Sec.* 2.]

[No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person, holding any office under the United States, shall be a member of either House during his continuance in office. *Const.* I, 6.]

SECTION VI.

QUORUM.

[A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide. *Const.* I, 5.]

[In general, the chair is not to be taken till a quorum for business is present; unless, after due waiting, such a quorum be despaired of, when the chair may be taken and the House adjourned. And whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted; and being found deficient, business is suspended. 2 *Hats.*, 125, 126.]

[The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any

by the census of that year and thereafter should be divided by said number 233; and the quotient so found should be the ratio of representation for the several States. The ratio thus ascertained under the census of 1860 was 126,823; and upon this basis the 233 Representatives were apportioned among the several States, one Representative for every district containing that number of persons; giving to each State at least one Representative. Subsequently, by the act of March 4, 1862, the ratio was changed, and the number of Representatives from and after March 3, 1863, was increased from 233 to 241, by allowing one additional Representative to each of the following States, viz: Illinois, Iowa, Kentucky, Minnesota, Ohio, Pennsylvania, Rhode Island, and Vermont; and this number was increased by the admission of Nevada and Nebraska with one Representative each, to 243.

10 As per apportionment bill passed February 2, 1872, and supplemental apportionment bill passed May 30, 1872.

11 Previous to the 3d of March, 1820, Maine formed part of Massachusetts, and was called the "District of Maine," and its representatives are numbered with those of Massachusetts. By compact between Maine and Massachusetts, Maine became a separate and independent State, and by act of Congress of 3d March, 1820, was admitted into the Union as such; the admission to take place on the fifteenth of the same month. On the 7th of April, 1820, Maine was declared entitled to seven representatives, to be taken from those of Massachusetts.

12 Divided by action of State Legislature and Congress in 1861 and 1862, and State of West Virginia created therefrom.

mistake may be corrected that shall have been made in the entries. *Rules of the Senate.*]

SECTION VII.

CALL OF THE HOUSE.

On a call of the House, each person rises up as he is called and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called a second time, and if still absent, excuses are to be heard. *Ord. House of Commons*, 92.]

They rise that their persons may be recognized; the voice in such a crowd, being an insufficient verification of their presence. But in so small a body as the Senate of the United States, the trouble of rising cannot be necessary.

SECTION VIII.

ABSENCE.

[No member shall absent himself from the service of the Senate without leave of the Senate first obtained. And in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members,

13 Admitted under act of Congress of June 1, 1796, with one representative.
14 " " April 30, 1802, with one "
15 " " April 8, 1812, with one "
16 " " Dec. 11, 1816, with three "
17 " " Dec. 10, 1817, with one "
18 " " Dec. 3, 1818, with one "
19 " " Dec. 14, 1819, with three "
20 " " March 2, 1821, with one "
21 " " Jan. 26, 1837, with one "
22 " " Jan. 15, 1836, with one "
23 " " March 8, 1845, with one "
24 " " March 3, 1845, with two "
25 " " Dec. 29, 1848, with two "
26 " " May 29, 1848, with two "
27 " " Sept 8, 1848, with two "
28 " " May 11, 1858, with two "
29 " " Feb 14, 1859, with one "
30 " " Jan. 29, 1861, with one "

31 Previous to December 31, 1862, West Virginia was a part of the State of Virginia, which State was entitled to eleven Members of the House of Representatives.

32 Admitted under act of Congress of October 31, 1864, with one Representative.

33 Admitted under act of Congress of January, 1867, and proclamation of the President, March 1, 1867, with one Representative.

34 Admitted under act of Congress of March 3, 1875, and proclamation of the President July 4th, 1876, with one representative.

respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient; and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour is arrived to which the Senate stood adjourned. *Rule* 8.]

SECTION XI.

SPEAKER.

[The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided. *Constitution*, I, 3.]

[The Senate shall choose their officers, and also a President pro tempore in the absence of the Vice-President, or when he shall exercise the office of President of the United States. *Ib.*]

[The House of Representatives shall choose their Speaker and other officers. *Const.*, I, 2.]

When but one person is proposed, and no objection made, it has not been usual in Parliament to put any question to the House; but without a question the members proposing him conduct him to the chair. But if there be objection, or another proposed, a question is put by the clerk. 2 *Hats.*, 168. As are also questions of adjournment. 6 *Grey*, 406. Where the House debated and exchanged messages and answers with the king for a week, without a Speaker, till they were prorogued. They have done it de die in diem for fourteen days. 1 *Chand.*, 331, 335.

[In the Senate, a President pro tempore in the absence of the Vice President is proposed and chosen by ballot. His office is understood to be determined on the Vice-President's appearing and taking the chair, or at the meeting of the Senate after the first recess.]

Where the Speaker has been ill, other Speakers pro tempore have been appointed. Instances of this are 1 *H.*, 4. Sir John Cheyney, and for Sir Wm. Sturton, and in 15 *H.*, 6 Sir John Tyrrell, in 1656, January 27; 1658, March 9; 1659, January 13.

Sir Job Charlton ill, Seymour chosen, 1673, February 18.
Seymour being ill, Sir Robert Sawyer chosen, 1678, April 15.
Sawyer being ill, Seymour chosen.

} Not merely pro tempore, 1 *Chand.*, 169, 276, 277.

Thorpe in execution, a new Speaker chosen, 31 *H.* VI. 3 *Grey*, 11; and March 14, 1694, Sir John Trevor chosen. There have been no later instances. 2 *Hats.*, 161; 4 *Inst.*; 8 *L. Parl.*, 263.

A Speaker may be removed at the will of the House, and a Speaker pro tempore appointed.* 2 *Grey*, 186; 5 *Grey*, 134.

SECTION X.

ADDRESS.

[The President shall, from time to time, give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. *Const.*, II, 3.]

A joint address of both Houses of Parliament is read by the Speaker of the House of Lords. It may be attended by both Houses in a body, or by a committee from each House, or by the two Speakers only. An address of the House of Commons only, may be presented by the whole House, or by the Speaker, 9 *Grey*, 473; 1 *Chand.*, 298, 301; or by such particular members as are of the privy council. 2 *Hats.*, 278.

SECTION XI.

COMMITTEES.

Standing committees, as of privileges and elections, etc., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy; every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House. 4 *Inst.*, 11, 12; *Scob.*, 9; 1 *Grey*, 122.

At these committees the members are to speak standing, and not sitting; though there is reason to conjecture it was formerly otherwise. *D'Ewes*, 630, *col.* 1; 4 *Parl. Hist.*, 440; 2 *Hats.*, 77.

Their proceedings are not to be published, as they are of no force till confirmed by the House. *Rushw.*, *part* 3, *vol.* 2, 74; 3 *Grey*, 401; *Scob.*, 39. Nor can they receive a petition but through the House. 9 *Grey*, 412.

When a committee is charged with an inquiry, if a member prove to be involved, they cannot proceed against him, but must make a special report to the House; whereupon the member is heard in his place, or at the bar, or a special authority is given to the committee to inquire concerning him. 9 *Grey*, 523.

So soon as the House sits, and a committee is notified of it, the chairman is in duty bound to rise instantly, and the members to attend the service of the House. 2 *Nals.*, 319.

*Rule 23. The Vice-President or President of the Senate pro tempore, shall have the right to name a member to perform the duties of the Chair; but such substitution shall not extend beyond an amendment.

It appears that on joint committees of the Lords and Commons, each committee acted integrally in the following instances: 7 *Grey*, 261, 278, 285, 338; 1 *Chandler*, 357, 462. In the following instances it does not appear whether they did or not: 6 *Grey*, 129; 7 *Grey*, 213, 229, 321.*

SECTION XII.

COMMITTEE OF THE WHOLE.

The speech, message, and other matters of great concernment, are usually referred to a committee of the whole house, (6 *Grey*, 311,) where general principles are digested in the form of resolutions, which are debated and amended till they get into a shape which meets the approbation of a majority. These being reported and confirmed by the House, are then referred to one or more select committees, according as the subject divides itself into one or more bills. *Scob.*, 36, 44. Propositions for any charge on the people are especially to be first made in a committee of the whole. 3 *Hats.*, 127. The sense of the whole is better taken in committee, because in all committees every one speaks as often as he pleases. *Scob.*, 49. They generally acquiesce in the chairman named by the Speaker; but, as well as all other committees, have a right to elect one, some member, by consent, putting the question. *Scob.*, 36; 3 *Grey*, 301. The form of going from the House into committee is for the Speaker, on motion, to put the question that the House do now resolve itself into a Committee of the Whole, to take into consideration such a matter, naming it. If deter-

*Rule 34. The following Standing Committees, shall be appointed at the commencement of each session, with leave to report by bill or otherwise.

A Committee on Foreign Relations to consist of seven members.
A Committee on Finance to consist of seven members.
A Committee on Manufactures to consist of five members.
A Committee on Agriculture to consist of seven members.
A Committee on Military Affairs, and Militia, to consist of seven members.
A Committee on Naval Affairs, to consist of seven members.
A Committee on the Judiciary, to consist of seven members.
A Committee on Post Offices and Post Roads, to consist of seven members.
A Committee on Public Lands, to consist of seven members.
A Committee on Private Land Claims, to consist of five members.
A Committee on Indian Affairs, to consist of seven members.
A Committee on Pensions, to consist of seven members.
A Committee on Revolutionary Claims, to consist of five members.
A Committee on Claims, to consist of five members.
A Committee on the District of Columbia, to consist of seven members.
A Committee on Patents and Patent Office, to consist of five members.
A Committee on Public Buildings and Grounds, to consist of five members,

mined in the affirmative, he leaves the chair and takes a seat elsewhere, as any other member; and the person appointed chairman seats himself at the clerk's table. *Scob.*, 36. Their quorum is the same as that of the House, and if a defect happens, the chairman, on a motion and question, rises, the Speaker resumes the chair, and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced during a committee, the Speaker takes the chair, and receives it, because the committee cannot. 2 *Hats.*, 125, 126.

In a Committee of the Whole, the tellers, on a division, differing as to numbers, great heats and confusion arose, and danger of a decision by the sword. The Speaker took the chair, the mace was forcibly laid on the table: whereupon the Members retiring to their places, the Speaker told the House "he had taken the chair without an order to bring the House into order." Some excepted against it; but it was generally approved, as the only expedient to suppress the disorder. And every member was required, standing up in his place, to engage that he would proceed no further, in consequence of what had happened in the grand committee, which was done. 3 *Grey*, 128.

A Committee of the Whole being broken up in disorder, and the chair resumed by the Speaker without an order, the House was adjourned. The next day the committee was considered as thereby dissolved, and the subject again before the House, and it was decided in the House, without returning into committee. 3 *Grey*, 130.

No previous question can be put in a committee, nor can this committee adjourn as others may; but if their business is unfinished, they rise, on a question, the House is resumed, and the chairman reports that the Committee of the Whole have, according to order, had under their consideration such a matter, and have made progress

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who shall have power also to act jointly with the same committee of the House of Representatives.

A Committee on Territories, to consist of seven members.

A Committee on the Pacific Railroad, to consist of nine members

A Committee on Mines and Mining, to consist of seven members.

A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of three members, to whom shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate, or creating a charge on the same.

A Committee on Engrossed Bills, to consist of three members, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the Senate, and shall deliver the same to the Secretary of the Senate, who shall enter upon the journal that the same have been correctly engrossed.

A Committee on Enrolled Bills, to consist of three members.

therein; but not having had time to go through the same, have directed him to ask leave to sit again. Whereupon a question is put upon their having leave, and on the time the House will again resolve itself into a committee. *Scob.*, 38. But if they have gone through the matter referred to them, a member moves that the committee may rise, and the chairman report their proceedings to the House; which being resolved, the chairman rises, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and that he is ready to make report when the House shall think proper to receive it. If the House have time to receive it, there is usually a cry of "Now, now," whereupon he makes the report; but if it be late, the cry is, "To-morrow, to-morrow," or "Monday," etc.; or a motion is made to that effect, and a question put, that it be received to-morrow, etc. *Scob.*, 38.

In other things the rules of proceedings are to be the same as in the House. *Scob.*, 39.

SECTION XIII.

EXAMINATION OF WITNESSES.

Common fame is a good ground for the House to proceed by inquiry, and even to accusation. *Resolution House of Commons*, 1 *Car.*, 1, 1624; *Rush., L. Parl.*, 115; 1 *Grey*, 16–22, 92; *Grey*, 21, 23, 27, 45.

Witnesses are not to be produced but where the House has previously instituted an inquiry (2 *Hats.*, 102), nor then are orders for their attendance given blank. 3 *Grey*, 51.

When any person is examined before a committee, or at the bar of the House, any member wishing to ask the person a question, must address it to the Speaker or chairman, who repeats the question to the person, or says to him, "You hear the question—answer it." But if the propriety of the question be objected to, the Speaker directs the witness, counsel, and parties, to withdraw, for no question can be moved or put or debated while they are there. 2 *Hats.*, 108. Sometimes the questions are previously settled in writing before the witness enters. *Ib.*, 106, 107; 8 *Grey*, 64. The questions asked must be entered in the journals. 3 *Grey*, 81. But the testimony given in answer before the House is never written down; but before a committee it must be, for the information of the House, who are not present to hear it. 7 *Grey*, 52, 334.

If either house have occasion for the presence of a person in custody of the other, they ask the other their leave that he may be brought up to them in custody. 3 *Hats.*, 52.

A member, in his place, gives information to the House of what

he knows of any matter under hearing at the bar. *Jour. H. of C., Jan.* 22, 1744-45.

Either house may request, but not demand, the attendance of a member of the other. They are to make the request by message to the other house, and to express clearly the purpose of attendance, that no improper subject of examination may be tendered to him. The House then gives leave to the member to attend, if he chooses it; waiting first to know from the member himself whether he chooses to attend, till which they do not take the message into consideration. But when the peers are sitting as a court of criminal judicature, they may order attendance, unless where it be a case of impeachment by the Commons. There it is to be a request. 3 *Hats.*, 17; 9 *Grey*, 306, 406; 10 *Grey*, 133.

Counsel are to be heard only on private, not on public bills, and on such points of law only as the House shall direct. 10 *Grey*, 61.

SECTION XIV.

ARRANGEMENT OF BUSINESS.

The Speaker is not precisely bound to any rules as to what bills or other matter shall be first taken up; but is left to his own discretion, unless the House on the question decide to take up a particular subject. *Hakew.*, 136.

A settled order of business is, however, necessary for the government of the presiding person, and to restrain individual members from calling up favorite measures, or matters under their special patronage, out of their just turn. It is useful also for directing the discretion of the House, when they are moved to take up a particular matter, to the prejudice of the others having priority of right to their attention in the general order of business.

[In Senate, the bills and other papers which are in possession of the house, and in a state to be acted on, are arranged every morning, and brought on in the following order:]

[1. Bills ready for a second reading are read, that they may be referred to committees, and so be put under way. But if, on their being read, no motion is made for commitment, they are then laid on the table in the general file, to be taken up in their just turn.]

[2. After 12 o'clock, bills ready for it are put on their passage.]

[3. Reports in possession of the House, which offer grounds for a bill, are to be taken up, that the bill may be ordered in.]

[4. Bills or other matters before the House, and unfinished on the

preceding day, whether taken up in turn or on special order, are entitled to be resumed and passed on through their present stage.]

[5. These matters being dispatched, for preparing and expediting business, the general file of bills and other papers is then taken up, and each article of it is brought on according to its seniority, reckoned by the date of its first introduction to the House. Reports on bills belong to the dates of their bills.]

[The arrangement of the business of the Senate is now as follows:]

[1. Motions previously submitted.]

[2. Reports of Committees previously made.]

[3. Bills from the House of Representatives, and those introduced on leave, which have been read the first time, are read the second time; and if not referred to a committee, are considered in Committee of the Whole, and proceeded with as in other cases.]

[4. After twelve o'clock, engrossed bills of the Senate, and bills of the House of Representatives, on third reading, are put on their passage.]

[5. If the above are finished before one o'clock, the general file of bills, consisting of those reported from committees on the second reading, and those reported from committees after having been referred, are taken up in the order in which they were reported to the Senate by the respective committees.]

[6. At one o'clock, if no business be pending, or if no motion be called to proceed to other business, the special orders are called, at the head of which stands the unfinished business of the preceding day.]

[In this way we do not waste our time in debating what shall be taken up. We do one thing at a time; follow up a subject while it is fresh, and till it is done with, clear the House of business gradatim as it is brought on, and prevent, to a certain degree, its immense accumulation towards the close of the session.]

[Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better con-

sideration. . Orders of the day may be called for, even when another question is before the House.]

SECTION XV.

ORDER.

[Each House may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds, expel a member. *Const.*, I, 5.]

In Parliament, "Instances make order," per Speaker Onslow. 2 *Hats.*, 141. But what is done only by one Parliament, cannot be called custom of Parliament; by Prynne. 1 *Grey*, 52.

SECTION XVI.

ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts or papers, be taken from the table or out of his custody. 2 *Hats.*, 193, 194.

Mr. Prynne having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. 1 *Chand.*, 77.

A bill being missing, the House resolved that a protestation should be made and subscribed by the members "before Almighty God and this honorable House, that neither myself nor any other to my knowledge have taken away, or do at this present conceal a bill entitled," etc. 5 *Grey*, 202.

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let any one have it to look into. *Town.*, *col.* 200.

SECTION XVII.

ORDER IN DEBATE.

When the Speaker is seated in his chair, every member is to sit in his place. *Scob.*, 6; 3 *Grey*, 403.

When any member means to speak, he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular member, but to the speaker, who calls him by his name, that the House may take notice who it is that speaks. *Scob.*, 6; *D'Ewes*, 487; *col.* 1; 2 *Hats.*, 77; 4 *Grey*, 66; 8 *Grey*, 108. But members who are indisposed may be indulged to speak sitting. 2 *Hats.*, 75; 1 *Grey*, 143.

[In Senate, every member, when he speaks, shall address the chair, standing in his place, and when he has finished, shall sit down. *Rule* 3.]

When a member stands up to speak, no question is to be put, but

he is to be heard unless the House overrules him. 4 *Grey*, 390; 5 *Grey*, 6, 143.

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name; whereupon he proceeds, unless he voluntarily sits down and gives way to the other. But sometimes the House does not acquiesce in the Speaker's decision, in which case the question is put, "Which member was first up?" 2 *Hats.*, 76; *Scob.*, 7; *D'Ewes.*, 434, *col.* 1, 2.

[In the Senate of the United States, the President's decision is without appeal. Their rule is in these words: *When two members rise at the same time, the President shall name the person to speak; but in all cases* the member who shall first rise and address the chair, shall speak first. *Rule* 5.]

No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned. But if it be read more than once in the same day, he may speak once at every reading. *Co.*, 12, 115; *Hakew.*, 148; *Scob.*, 58; 2 *Hats.*, 75. Even a change of opinion does not give a right to be heard a second time. *Smyth's Comw.*, *L.* 2, *c.* 3; *Arcan Parl.*, 17.

[The corresponding rule of the Senate is in these words: No member shall speak more than twice, in any one debate on the same day, without leave of the Senate. *Rule* 4.]

But he may be permitted to speak again to a clear matter of fact (3 *Grey*, 357, 416); or merely to explain himself (2 *Hats.*, 73) in some material part of his speech (*Ib.* 75); or to the manner of words of the question, keeping himself to that only, and not traveling into the merits of it (*Memorials in Hakew.*, 29), or to the orders of the House, if they be transgressed, keeping within that line, and not falling into the matter itself. *Mem. Hakew.*, 30, 31.

But if the Speaker rise to speak, the member standing up ought to sit down, that he may be first heard. *Town. col.*, 205; *Hale Parl.*, 133; *Mem. in Hakew.*, 30, 31. Nevertheless, though the Speaker may of right speak to matters of order, and be first heard, he is restrained from speaking on any other subject, except where the House have occasion for facts within his knowledge; then he may with their leave, state the matter of fact. 3 *Grey*, 38.

No one is to speak impertinently or beside the question, superfluously or tediously. *Scob.*, 31, 33; 2 *Hats.*, 166, 168; *Hale Parl.*, 133.

No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any member, unless he means to conclude with a motion to rescind it.

2 *Hats.*, 169, 170; *Rushw.*, *p.* 3, *v.* 1, *fol.* 42. But while a proposition under consideration is still in *fieri*, though it has even been reported by a committee, reflections on it are no reflections on the House. 9 *Grey*, 508.

No person in speaking, is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question, etc. (*Mem. in Hakew.*, 3; *Smyth's Comw.*, *L.* 2, *c.* 3); nor to digress from the matter to fall upon the person (*Scob.*, 31; *Hale Parl.*, 133; 2 *Hats.*, 166) by speaking reviling, nipping or unmanly words against a particular member. *Smyth's Comw.*, *L.* 2, *c.* 3. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose to advocate it, is a personality, and against order. *Qui digreditur a materia ad personam*, Mr. Speaker ought to suppress. *Ord. Som.*, 1604, *Apr.* 19.

[* * * When a member shall be called to order by the President or a Senator, he shall sit down, and shall not proceed without leave of the Senate; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order. *Rule* 6.]

[No member shall speak to another or otherwise interrupt the business of the Senate, or read any newspaper while the journals or public papers are reading, or when any member is speaking in any debate. *Rule* 2.]

No one is to disturb another in his speech by hissing, coughing, spitting (6 *Grey*, 332; *Scob.*, 8; *D'Ewes*, 332, *col.* 1,640, *col.* 1) speaking or whispering to another (*Scob.*, 6; *D'Ewes*, 487, *col.* 1); nor stand up to interrupt him (*Town.*, *col.* 205; *Mem. in Hakew.*, 31); nor to push between the Speaker and the speaking member, nor to go across the house (*Scob.*, 6), or to walk up and down it, or to take books or papers from the table, or write there. 2 *Hats.*, 171.

Nevertheless, if a member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason, or inattentive to a member who says anything worth their hearing. 2 *Hats.*, 77, 78.

If repeated calls do not produce order, the Speaker may call by his name any member obstinately persisting in irregularity; whereupon the House may require the member to withdraw. He is then to be

heard in exculpation, and to withdraw. Then the Speaker states the offense committed, and the House considers the degree of punishment they will inflict. 3 *Hats.*, 167, 7, 8, 172.

For instances of assaults and affrays in the House of Commons, and the proceedings thereon, see 1 *Pet. Misc.*, 82; 3 *Grey*, 128; 4 *Grey*, 328; 5 *Grey*, 382; 6 *Grey*, 254; 10 *Grey*, 8.

Whenever warm words or an assault have passed between members, the House, for the protection of their members, requires them to declare in their places not to prosecute any quarrel (3 *Grey*, 127, 293; 5 *Grey*, 280; or orders them to attend the Speaker, who is to accomodate their differences, and report to the House (3 *Grey*, 419); and they are put under restraint if they refuse, or until they do. 9 *Grey*, 234, 312.

Disorderly words are not to be noticed till the member has finished his speech. 5 *Grey*, 356; 6 *Grey*, 60. Then the person objecting to them, and desiring them to be taken down by the clerk at the table, must repeat them. The Speaker then may direct the clerk to take them down in his minutes; but if he thinks them not disorderly, he delays the direction. If the call becomes pretty general, he orders the clerk to take them down, as stated by the objecting member. They are then part of his minutes, and when read to the offending member, he may deny they were his words, and the House must then decide by a question whether they are his words or not. Then the member may justify them, or explain the sense in which he used them, or apologize. If the House is satisfied, no further proceeding is necessary. But if two members still insist to take the sense of the House, the member must withdraw before that question is stated, and then the sense of the House is to be taken. 2 *Hats.*, 199; 4 *Grey*, 170; 6 *Grey*, 59. When any member has spoken, or other business intervenes, after offensive words spoken, they cannot be taken notice of for censure. And this is for the common security of all, and to prevent mistakes which must happen if words are not taken down immediately. Formerly they might be taken down at any time the same day. 2 *Hats.*, 196; *Mem. in Hakew.*, 71; 3 *Grey*, 48; 9 *Grey*, 514.

Disorderly words spoken in a committee must be written down as in the House; but the committee can only report them to the House for animadversion. 6 *Grey*, 46.

[The rule of the Senate says: "If the member be called to order by a senator for words spoken, the exceptional words shall immedi-

ately be taken down in writing, that the President may be better enabled to judge of the matter." *Rule* 7.]

In Parliament, to speak irreverently or seditiously against the King, is against order. *Smyth's Comw., L.* 2, *c.* 3; 2 *Hats.*, 170.

It is a breach of order in debate to notice what has been said on the same subject in the other house, or the particular votes or majorities on it there; because the opinion of each house should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two houses. 8 *Grey*, 22.

Neither house can exercise any authority over a member or officer of the other, but should complain to the house of which he is, and leave the punishment to them. Where the complaint is of words disrespectfully spoken by a member of another house, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed, which may give a ground of complaint to the other house, and introduce proceedings and mutual accusations between the two houses, which can hardly be terminated without difficulty and disorder. 3 *Hats.*, 51.

No member may be present when a bill or any business concerning himself is debating; nor is any member to speak to the merits of it till he withdraws. 2 *Hats.*, 219. The rule is, that if a charge against a member arise out of a report of a committee, or examination of witnesses in the House, as the member knows from that to what points he is to direct his exculpation, he may be heard to those points before any question is moved or stated against him. He is then to be heard, and withdraw before any question is moved. But if the question itself is the charge, as for breach of order, or matter arising in the debate, then the charge must be stated, (that is, the question must be moved,) himself heard, and then to withdraw. 2 *Hats.*, 121, 122.

Where the private interests of a member are concerned in a bill or question, he is to withdraw. And where such an interest has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency, but to the fundamental principle of the social compact which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial observance, should be strictly adhered to. 2 *Hats.*, 119, 121; 6 *Grey*, 368.

No member is to come into the house with his head covered, nor

to remove from one place to another with his hat on, nor is to put on his hat in coming in or removing, until he be set down in his place. *Scob.*, 6.

A question of order may be adjourned to give time to look into precedents. 2 *Hats.*, 118.

In Parliament all decisions of the Speaker may be controlled by the House. 3 *Grey*, 319.

SECTION XVIII.

ORDERS OF THE HOUSE.

Of right, the doors of the House ought not to be shut, but to be kept by porters, or sergeant-at-arms, assigned for that purpose. *Mod. Ten. Parl.*, 23.

[By the rules of the Senate, on motion made and seconded to shut the doors of the Senate on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and during the discussion of such motion the doors shall remain shut. *Rule* 18.]

No motion shall be deemed in order to admit any person or persons whatsoever, within the doors of the Senate chamber, to present any petition, memorial or address, or to hear any such read. *Rule* 19.

[The only case where a member has a right to insist on anything, is where he calls for the execution of a subsisting order of the House. Here, there having been already a resolution, any person has a right to insist that the Speaker, or any other whose duty it is, shall carry it into execution; and no debate or delay can be had on it. Thus any member has a right to have the House or gallery cleared of strangers, an order existing for that purpose; or to have the House told where there is not a quorum present. 2 *Hats.*, 87, 129. How far an order of the House is binding. See *Hakew.*, 392.

But where an order is made that any particular matter be taken up on a particular day, there a question is to be put, when it is called for, whether the House will now proceed to that matter? Where orders of the day are on important or interesting matter, they ought not to be proceeded on till an hour at which the House is usually full, [*which in Senate is at noon.*]

Orders of the day may be discharged at any time, and a new one made for a different day. 3 *Grey*, 48, 313.

When a session is drawing to a close, and the important bills are all brought in, the House, in order to prevent interruption by further unimportant bills, sometimes come to a resolution that no new bill be brought in, except it be sent from the other house. 3 *Grey*, 156.

All orders of the House determine with the session; and one taken under such an order may, after the session is ended, be discharged on a habeas corpus. *Raym.*, 120; *Jacob's L. D. by Ruffhead; Parliament*, 1 *Lev.*, 165, (*Pritchard's case.*)

[Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive or judiciary) submitted to them by the Constitution, or in something relating to these, and necessary towards their execution. But orders and resolutions are sometimes entered in the journals, having no relation to these, such as acceptances of invitations to attend orations, to take part in processions, etc. These must be understood to be merely conventional among those who are willing to participate in the ceremony, and are, therefore, perhaps, improperly placed among the records of the House,]

SECTION XIX.

PETITIONS.

A petition prays something. A remonstrance has no prayer. 1 *Grey*, 58.

Petitions must be subscribed by the petitioners (*Scob.*, 87; *L. Parl.*, *c.* 22; 9 *Grey*, 362), unless they are attending (1 *Grey*, 401); or unable to sign, and averred by a member (3 *Grey*, 418). But a petition not subscribed, but which the member presenting it affirmed to be all in the handwriting of the petitioner, and his name written in the beginning, was on the question (Mar. 14, 1800) received by the Senate. The averment of a member, or of somebody withoutdoors, that they know the handwriting of the petitioners, is necessary, if it be questioned (6 *Grey*, 36). It must be presented by a member, not by the petitioners, and must be opened by him holding it in his hand. 10 *Grey*, 57.

[Before any petition or memorial addressed to the Senate shall be received and read at the table, whether the same shall be introduced by the President or a member, a brief statement of the contents of the petition or memorial shall verbally be made by the introducer. *Rule* 24.]

Regularly, a motion for receiving it must be made and seconded, and a question put, whether it shall be received? But a cry from the House of "Received," or even its silence, dispenses with the formality of this question; it is then to be read at the table, and disposed of.

SECTION XX.

MOTIONS.

When a motion has been made it is not to be put to the question, or debated until it is seconded. *Scob.*, 21.

[The Senate say: No motion shall be debated until the same shall be seconded. *Rule* 9.]

It is then, and not till then, in possession of the House, and cannot be withdrawn but by leave of the House. It is to be put into writing, if the House or Speaker require it, and must be read to the House by the Speaker as often as any member desires it for his information. 2 *Hats.*, 82.

[The rule of the Senate is: When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any member, delivered in at the table, and read, before the same shall be debated. * * * *Rule* 10.]

It might be asked, whether a motion for adjournment or for the orders of the day, can be made by any one member while another is speaking. It cannot. When two members offer to speak, he who rose first is to be heard; and it is a breach of order in another to interrupt him, unless by calling him to order if he departs from it. And the question of order being decided, he is still to be heard through. A call for adjournment, or for the order of the day, or for the question, by gentlemen from their seats, is not a motion. No motion can be made without arising and addressing the chair. Such calls are themselves breaches of order, which, though the member who has risen may respect as an expression of impatience of the House against further debate, yet, if he chooses, he has a right to go on.

SECTION XXI.

RESOLUTIONS.

When the House commands, it is by an "order." But facts, principles, and their own opinions and purposes, are expressed in the form of resolutions.

[A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on an appeal to the Senate (*i. e.*, a call for their sense by the President, on account of doubt in his mind, according to rule 26), the decision was overruled. *Jour. Sen.*, *June* 1, 1796. I presume the doubt was, whether an allowance of money could be made otherwise than by bill.]

SECTION XXII.

BILLS.

[Every bill shall receive three readings previous to its being passed; and the President shall give notice at each whether it be first, second

or third; which readings shall be on three different days, unless the Senate unanimously direct otherwise. * * * *Rule* 26.]

SECTION XXIII.

BILLS—LEAVE TO BRING IN.

[One day's notice, at least, shall be given of an intended motion for leave to bring in a bill. *Rule* 25.]

When a member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill entitled, etc. Leave being given on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew.*, 122; *Scob.*, 40.

It is to be presented fairly written, without any other erasure or interlineation, or the Speaker may refuse it. *Scob.*, 41; 1 Grey, 82, 84.

SECTION XXIV.

BILLS—FIRST READING.

When a bill is first presented, the clerk reads it at the table, and hands it to the Speaker, who, rising, states to the House the title of the bill; that this is the first time of reading it; and the question will be, whether it shall be read a second time? then sitting down to give an opening for objections. If none be made, he rises again, and puts the question, whether it shall be read a second time? *Hakew.*, 137, 141. A bill cannot be amended on the first reading, (6 *Grey*, 286;) nor is it usual for it to be opposed then, but it may be done and rejected. *D'Ewes*, 335, *col* 1; 3 *Hats.*, 198.

SECTION XXV

BILLS—SECOND READING.

The second reading must regularly be on another day. *Hakew.*, 143. It is done by the Clerk at the table, who then hands it to the Speaker. The Speaker rising, states to the House the title of the bill; that this is the second time of reading it; and that the question will be, whether it shall be committed or engrossed and read a third time? But if the bill came from the other House, as it always comes engrossed, he states that the question will be, whether it shall be read a third time? and before he has so reported the state of the bill, no one is to speak to it. *Hakew.*, 143, 146.

[In the Senate of the United States, the President reports the title of the bill; that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question

will be, whether it shall be read a third time? or that it may be referred to a special committee?]

SECTION XXVI.

BILLS—COMMITMENT.

If on motion and question it be decided that the bill shall be committed, it may then be moved to be referred to Committee of the Whole House, or to a special committee. If the latter, the Speaker proceeds to name the committee. Any member also may name a single person, and the clerk is to write him down as of the committee. But the House have a controlling power over the names and number, if a question be moved against any one; and may in any case put in and put out whom they please.

Those who take exceptions to some particulars in the bill are to be of the committee, but none who speak directly against the body of the bill; for he that would totally destroy will not amend it, (*Hakew.*, 146; *Town.*, *col.* 208; *D'Ewes*, 634, *col* 2; *Scob.*, 47;) or, as it is said, (5 *Grey*, 145,) the child is not to be put to a nurse that cares not for it, (6 *ref.*, 373.) It is therefore a constant rule "that no man is to be employed in any matter who has declared himself against it." And when any member, who is against the bill, hears himself namedo its committee, he ought to ask to be excused. Thus (March 7, 1606) Mr. Hadley was, on the question being put, excused from being of a committee, declaring himself to be against the matter itself. *Scob.*, 46.

[No bill shall be committed or amended until it shall have been twice read; after which it may be referred to a committee. *Rule* 27.]

[In the appointment of the standing committees, the Senate will proceed, by ballot, severally to appoint the Chairman of each committee; and then, by one ballot, the other members necessary to complete the same; and a majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee. All other committees shall be appointed by ballot, and a plurality of votes shall make a choice. When any subject or matter shall have been referred to a committee, any other subject or matter of a similar nature, may, on motion, be referred to such committee. *Rule* 34.]

The clerk may deliver the bill to any member of the committee, (*Town.*, *col.* 138;) but it is usual to deliver it to him who is first named.

In some cases the House has ordered a committee to withdraw immediately into the Committee Chamber, and act on and bring back the bill, sitting in the House *Scob.*, 48. A committee meet when and where they please, if the House has not ordered time and place for

them, (6 *Grey*, 370;) but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

A majority of the committee constitutes a quorum for business. *Elsynge's Method of Passing Bills*, 11.

Any member of the House may be present at any select committee, but cannot vote, and must give place to all of the committee, and sit below them. *Elsynge*, 12; *Scob.*, 49.

The committee have full power over the bill or other paper committed to them, except that they cannot change the title or subject. 8 *Grey*, 228.

The paper before a committee, whether select or of the whole, may be a bill, resolutions, draught of an address, etc., and it may either originate with them or be referred to them. In every case the whole paper is read first by the clerk, and then by the chairman, by paragraphs, (*Scob.*, 49,) pausing at the end of each paragraph, and putting questions for amending, if proposed. In the case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole. (3 *Hats.*, 276;) but if they relate to the same subject, a question is put on the whole. If it be a bill, draught of an address, or other paper originating with them, they proceed by paragraphs; putting questions for amending either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately; this is reserved to the close, when a question is put on the whole for agreeing to it as amended or unamended. But if it be a paper referred to them, they proceed to put questions of amendment, if proposed, but no final question on the whole, because all parts of the paper, having been adopted by the House, stand, of course, unless altered or struck out by a vote. Even if they are opposed to the whole paper, and think it cannot be made good by amendments, they cannot reject it, but must report it back to the House without amendments, and there make their opposition.

The natural order in considering and amending any paper is, to begin at the beginning, and proceed through it by paragraphs, and this order is so strictly adhered to in Parliament, that when a latter part has been amended, you cannot recur back and make any alterations in a former part. 2 *Hats.*, 90. In numerous assemblies this restraint is doubtless important. [But in the Senate of the United States, though in the main we consider and amend the paragraphs in their natural order, yet recurrences are indulged; and they seem, on the whole, in

that small body, to produce advantages overweighing their inconveniences.]

To this natural order of beginning at the beginning, there is a single exception found in parliamentary usage. When a bill is taken up in committee, or on its second reading, they postpone the preamble till the other parts of the bill are gone through. The reason is, that on consideration of the body of the bill, such alterations may therein be made as may also occasion the alteration of the preamble. *Scob.*, 50; 7 *Grey*, 431.

On this head the following case occurred in the Senate, March 6, 1800: A resolution which had no preamble having been already amended by the House so that a few words only of the original remained in it, a motion was made to prefix a preamble, which having an aspect very different from the resolution, the mover intimated that he should afterwards propose a corresponding amendment in the body of the resolution. It was objected that a preamble could not be taken up till the body of the resolution is done with; but the preamble was received, because we are in fact through the body of the resolution; we have amended that as far as amendments have offered, and, indeed, till little of the original is left. It is the proper time, therefore, to consider a preamble; and whether the one offered be consistent with the resolution is for the House to determine. The mover, indeed, has intimated that he shall offer a subsequent proposition for the body of the resolution; but the House is not in possession of it; it remains in his breast, and may be withheld. The rules of the House can only operate on what is before them. [The practice of the Senate, too, allows recurrences backwards and forwards, for the purposes of amendment, not permitting amendments in a subsequent to preclude those in a prior part, or *e converso*.]

When the committee is through the whole, a member moves that the committee may rise, and the chairman report the paper to the House, with or without amendments, as the case may be. 2 *Hats.*, 289, 292; *Scob.*, 53; 2 *Hats.*, 290; 8 *Scob.*, 50.

When a vote is once passed in a committee, it cannot be altered but by the House, their votes being binding on themselves. 1607, *June* 4.

The committee may not erase, interline, or blot the bill itself; but must, in a paper by itself, set down the amendments, stating the words which are to be inserted or omitted (*Scob.*, 50), and where, by references to the page, line, and word of the bill. *Scob.*, 50.

SECTION XXVII.

REPORT OF COMMITTEE.

The chairman of the committee, standing in his place, informs the House that the committee, to whom was referred such a bill, have, according to order, had the same under consideration, and have directed him to report the same without any amendment or with sundry amendments (as the case may be), which he is ready to do when the House pleases to receive it. And he or any other may move that it be now received; but the cry of "now, now," from the House, generally dispenses with the formality of a motion and question. He then reads the amendment, with the coherence in the bill, and opens the alterations and the reasons of the committee for such amendments, until he has gone through the whole. He then delivers it at the clerk's table, where the amendments reported are read by the clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, 52; *Hakew.*, 148.

The report being made, the committee is dissolved and can act no more without a new power. *Scob.*, 51. But it may be revived by a vote, and the same matter recommitted to them. 4 *Grey*, 361.

SECTION XXVIII.

BILL—RECOMMITMENT.

After a bill has been committed and reported, it ought not in an ordinary course to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew.*, 151. If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole question is again before the committee, and a new resolution must be again moved, as if nothing had passed. 2 *Hats.*, 131—*note.*

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

A particular clause of a bill may be committed without the whole bill (3 *Hats.*, 131); or so much of a paper to one and so much to another committee.

SECTION XXIX.

BILL—REPORTS TAKEN UP.

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the paragraphs have, on distinct questions, been agreed to *seriatim* (5 *Grey*, 366; 6 *Grey*, 368; 8 *Grey*, 47, 104, 360;

1 *Torbuck's Deb.*, 125; 3 *Hats.*, 348), no question need be put on the whole report. 5 *Grey*, 381.

On taking up a bill reported with amendments, the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on until the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem.*, 53. When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill as he does also if it has been reported without amendments, putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill be read the third time.

SECTION XXX.

QUASI-COMMITTEE.

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

[The 28th rule of the Senate says: "All bills on a second reading shall first be considered by the Senate in the same manner as if the Senate were in Committee of the Whole, before they shall be taken up and proceeded on by the Senate agreeably to the standing rules, unless otherwise ordered;" (that is to say, unless ordered to be referred to a special committee.) And when the Senate shall consider a treaty, bill, or resolution, as in Committee of the Whole, the Vice-President or President *pro tempore* may call a member to fill the chair during the time the Senate shall remain in Committee of the Whole; and the chairman (so called) shall, during such time, have the powers of a President *pro tempore*.]

[The proceedings of the Senate, as in a Committee of the Whole, or in Quasi-Committee, are precisely as in a real Committee of the Whole, taking no questions but on amendments. When through the whole, they consider the Quasi-Committee as risen, the House resumes without any motion, question, or resolution to that effect, and the President reports that "The House acting as in Committee of the Whole, have had under their consideration the bill entitled, etc., and have made sundry amendments, which he will now report to the House." The bill is then before them, as it would have been if reported from a committee, and the questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to

the House to propose amendments to the body of the bill, and when through, puts the question whether it shall be read a third time.)

[After progress in amending the bill in Quasi-Committee, a motion may be made to refer it to a special committee. If the motion prevails, it is equivalent in effect to the several votes, that the committee rise, the House resume itself, discharge the Committee of the Whole, and refer the bill to a special committee. In that case, the amendments already made, fall. But if the motion falls, the Quasi-Committee stands *in statu quo.*]

[How far does this 28th rule subject the House, when in Quasi-Committee, to the laws which regulate the proceedings of Committees of the Whole?] The particulars in which these differ from proceedings in the House are the following: 1. In a committee every member may speak as often as he pleases. 2. The votes of a committee may be rejected or altered when reported to the House. 3. A committee, even of the Whole, cannot refer any matter to another committee. 4. In a committee no previous question can be taken: the only means to avoid an improper discussion is to move that the committee rise; and if it be apprehended that the same discussion will be attempted on returning into committee, the House can discharge them, and proceed itself on the business, keeping down the improper discussions by the previous question. 5. A committee cannot punish a breach of order in the House, or in the gallery. 9 *Grey*, 113. It can only rise and report it to the House, who may proceed to punish. [The first and second of these peculiarities attach to the Quasi-Committee of the Senate, as every day's practice proves, and seem to be the only ones to which the 28th rule meant to subject them; for it continues to be a House, and therefore, though it acts in some respects as a committee, in others it preserves its character as House. Thus: 3. It is in the daily habit of referring its business to a special committee. 4. It admits of the previous question; if it did not, it would have no means of preventing an improper discussion, not being able, as a committee is, to avoid it by returning into the House, for the moment it would resume the same subject there, the 28th rule declares it again a Quasi-Committee. 5. It would doubtless exercise its powers as a house on any breach of order. 6. It takes a question by yea and nay, as the House does. 7. It receives messages from the President and the other House. 8. In the midst of a debate it receives a motion to adjourn, and adjourns as a house, not a committee.]

SECTION XXXI.

BILLS—SECOND READING IN THE HOUSE.

In Parliament, after the bill has been read a second time, if on

the motion and question it be not committed, or if no proposition for commitment be made, the Speaker reads it by paragraphs, pausing between each, but putting no question but on amendments proposed; and when through the whole, he puts the question whether it shall be read a third time? if it come from the other House; or, if originating with themselves, whether it shall be engrossed and read a third time? The Speaker reads sitting, but rises to put questions. The clerk stands while he reads.

[*But the Senate of the United States is so much in the habit of making many and material amendments at the third reading, that it has become the practice not to engross a bill till it has passed—an irregular and dangerous practice, because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate has never been seen in Senate. In reducing numerous, difficult, and illegible amendments into the text, the Secretary may with the most innocent intentions, commit errors which can never again be corrected.]

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all, they will have sufficient opportunities of giving it their veto. Its last two stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time, and lastly, whether it shall pass? The first of these is usually the most interesting contest, because then the whole subject is new and engaging; and the minds of the members having not yet been declared by any trying vote, the issue is the more doubtful. In this stage, therefore, is the main trial of strength between its friends and opponents,

*The former practice of the Senate referred to in this paragraph has been changed by the following Rule:

*Rule 29. The final question upon the second reading of every bill, resolution, constitutional amendment or motion, originating in the Senate, and requiring three readings previous to being passed, shall be, "Whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution, amendment, or motion, unless by unanimous consent of the members present; but it shall at all times be in order before the final passage of any such bill, resolution constitutional amendment, or motion, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the said bill, resolution, constitutional amendment, or motion, shall be again read a second time, and considered as in Committee of the Whole, and then the aforesaid question shall be again put.]

and it behooves every one to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass.

When the bill is engrossed, the title is to be endorsed on the back and not within the bill. *Hakew.*, 250.

SECTION XXXII.

READING PAPERS.

Where papers are laid before the House or referred to a committee, every member has a right to have them once read at the table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right *toties quoties*, to have acts, journals, accounts, or papers on the table, read independently of the will of the House. The delay and interruption which this might be made to produce, evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put. 2 *Hats.*, 117, 118.

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, or have it read, on suggesting that it contains matter infringing on the privileges of the House. *Ib.*

For the same reason a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended. 2 *Grey*, 226.

A report of a committee of the Senate on a bill from the House of Representatives being under consideration, on motion that the report of the committee of the House of Representatives on the same bill be read in the Senate, it passed in the negative. *Feb.* 28, 1793.

Formerly when papers were referred to a committee, they used to be first read; but of late only the titles, unless a number insist that they shall be read, and then nobody can oppose it. 2 *Hats.*, 117.

SECTION XXXIII.

PRIVILEGED QUESTIONS.

[* While a question is before the Senate, no motion chall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn. *Rule* 8.]

It is no possession of a bill unless it be delivered to the Clerk to be read, or the Speaker reads the title. *Lex. Parl.*, 273; *Elsynge's Mem.*, 85; *Ord. House of Commons*, 64.

It is a general rule that the question first moved and seconded shall be first put. *Scob.*, 28, 22; 2 *Hats.*, 81. But this rule gives way to what may be called privileged questions; and the privileged questions are of different grades among themselves.

A motion to adjourn simply takes place of all others, for otherwise the House might be kept sitting against its will, and indefinitely, Yet this motion cannot be received after another question is actually put, and while the House is engaged in voting.

Orders of the day take place of all other questions, except for adjournment—that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice*. The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the Order of the Day to be read, no further debate is permitted on the question which was before the House; for if the debate might proceed, it might continue through the day and defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question, "Whether the House will now proceed to the orders of the day?" they must be read and proceeded on in the course in which they stand (2 *Hats.*, 83), for priority of order gives priority of right, which cannot be taken away but by another special order.

After these there are other privileged questions, which will require considerable explanation.

It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them. Such are: 1. The

* This rule has been modified so as to specify the questions entitled to preference. The rule is now as follows:

[When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.]

previous question. 2. To postpone indefinitely. 3. To adjourn a question to a definite day. 4. To lie on the table. 5. To commit. 6. To amend. The proper occasion for each of these questions should be understood.

1. When a proposition is moved which it is useless or inexpedient now to express or discuss, the previous question has been introduced for suppressing for that time the motion and its discussion. 3 *Hats.*, 188, 189.

2. But as the previous question gets rid of it only for that day, and the same proposition may recur the next day, if they wish to suppress it for the whole of that session, they postpone it indefinitely. 3 *Hats.*, 183. This quashes the proposition for that session, as an indefinite adjournment is a dissolution, or the continuance of a suit *sine die* is a discontinuance of it.

3. When a motion is made which it will be proper to act on, but information is wanted, or something more pressing claims the present time, the question or debate is adjourned to such day within the session as will answer the views of the House. 2 *Hats.*, 81. And those who have spoken before may not speak again when the adjourned debate is resumed. 2 *Hats.*, 73. Sometimes, however, this has been abusedly used by adjourning it to a day beyond the session, to get rid of it altogether, as would be done by an indefinite postponement.

4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on the table. It may then be called for at any time.

5. If the proposition will want more amendment and digestion than the formalities of the House will conveniently admit, they refer it to a committee.

6. But if the proposition be well digested, and may need but few and simple amendments, and especially if these be of leading consequence, they then proceed to consider and amend it themselves.

The Senate, in their practice, vary from this regular gradation of forms. Their practice comparatively with that of Parliament stands thus:

FOR THE PARLIAMENT:	THE SENATE USES:
Postponement indefinite,	Postponement to a day beyond the session,
Adjournment,	Postponement to a day within the session,
Lying on the table.	Postponement indefinite, / Lying on the table.

In their eighth rule, therefore, which declares that while the question is before the Senate no motion shall be received, unless it be for

the previous question, or to postpone, commit, or amend the main question, the term postponement must be understood according to their broad use of it and not in the parliamentary sense. Their rule then establishes as privileged questions, the previous questions, postponement, commitment and amendment.

But it may be asked, Have these questions any privileges among themselves? or are they so equal that the common principle of the "first moved first put" takes place among them? This will need explanation. Their competitions may be as follows:

1. Previous question and postpone ..... } In the first, second and
   commit ..... } third classes, and the
   amend ..... } first member of the
2. Postpone and previous question ..... } fourth class the rule
   commit ..... } "first moved first put"
   amend ..... } takes place.
3. Commit and previous question .....
   postpone .....
   amend .....
4. Amend and previous question .....
   postpone .....
   commit .....

In the first class, where the previous question is first moved, the effect is peculiar; for it not only prevents the after motion to postpone or commit from being put to question before it, but also from being put after it; for if the previous question be decided affirmatively, to wit, that the main question shall *now* be put, it would of course be against the decision to postpone or commit; and if it be decided negatively, to wit, that the main question shall not now be put, this puts the House out of possession of the main question, and consequently there is nothing before them to postpone or commit. So that neither voting for nor against the previous question will enable the advocates for postponing or committing to get at their object. Whether it may be amended shall be examined hereafter.

Second class. If postponement be decided affirmatively, the proposition is removed from before the House, and consequently there is no ground for the previous question, commitment, or amendment; but if decided negatively (that it shall not be postponed), the main question may then be suppressed by the previous question, or may be committed or amended.

The third class is subject to the same observations as the second.

The fourth class. Amendment of the main question first moved,

and afterwards the previous question, the question of amendment shall be first put.

Amendment and postponement competing, postponement is first put, as the equivalent proposition to adjourn the main question would be in Parliament. The reason is, that the question for amendment is not suppressed by postponing or adjourning the main question, but remains before the House whenever the main question is resumed; and it might be that the occasion for other urgent business might go by, and be lost by length of debate on the amendment if the House had it not in their power to postpone the whole subject.

Amendment and commitment. The question for committing though last moved, shall be first put; because, in truth, it facilitates and befriends the motion to amend. *Scobell* is express: "On motion to amend a bill, any one may notwithstanding move to commit it, and the question for commitment shall be first put." *Scob.*, 46.

We have hitherto considered the case of two or more of the privileged questions contending for privilege between themselves, when both are moved on the original or main question; but now let us suppose one of them to be moved not on the original primary question, but on the secondary one, *e. g.*

Suppose a motion to postpone, commit or amend the main question, and that it be moved to suppress that motion by putting a previous question on it. This is not allowed, because it would embarrass questions too much to allow them to be piled on one another several stories high; and the same result may be had in a more simple way, by deciding against the postponement, commitment or amendment. 2 *Hats.*, 81, 2, 3, 4.

Suppose a motion for the previous question, or commitment, or amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question. 1. It would be absurd to postpone the previous question, commitment or amendment alone, and thus separate the appendage from its principal; yet it must be postponed separately from its original, if at all, because the eighth rule of Senate says that "When a main question is before the house, no motion shall be received but to commit, amend or pre-question the original question," which is the parliamentary doctrine also; therefore, the motion to postpone the secondary motion for the previous question, or for committing or amending, cannot be received. 2. This is a piling of questions one on another; which, to avoid embarrassment, is not allowed. 3. The same result may be had more simply by voting against the previous question, commitment or amendment.

Suppose a commitment moved of a motion for the previous question, or to postpone or amend. The first, second and third reasons before stated, all hold good against this.

Suppose an amendment moved to a motion for the previous question. Answer: the previous question cannot be amended. Parliamentary usage, as well as the ninth rule of the Senate, has fixed its form to be, "Shall the main question be now put?"—*i. e.*, at this instant; and as the present instant is but one, it can admit of no modification. To change it to to-morrow, or any other moment, is without example and without utility. But suppose a motion to amend a motion for postponement, as to one day instead of another, or to a special instead of an indefinite time. The useful character of amendment gives it a privilege of attaching itself to a secondary and privileged motion: that is, we may amend a postponement of a main question. So, we may amend a commitment of a main question, as by adding, for example, "with instructions to inquire," etc. In like manner, if an amendment be moved to an amendment, it is admitted; but it would not be admitted in another degree, to-wit: to amend an amendment to an amendment of a main question. This would lead to too much embarrassment. The line must be drawn somewhere, and usage has drawn it after the amendment to the amendment. The same result must be sought by deciding against the amendment to the amendment, and then moving it again as it wished to be amended. In this form it becomes only an amendment to an amendment.

[When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be first put. *Rule* 36.]

[In filling a blank with a sum, the largest sum shall be first put to the question, by the thirteenth rule of the Senate,*] contrary to the rule of Parliament, which privileges the smallest sum and longest time. 5 *Grey*, 179; 2 *Hats.*, 8, 83; 3 *Hats.*, 132, 133. And this is considered to be not in the form of an amendment to the question, but as alternative or successive originals. In all cases of time or number, we must consider whether the larger comprehends the lesser, as in a question to what day a postponement shall be, the number of a committee, amount of a fine, term of an imprisonment, term of irredeemability of a loan, or the *terminus in quem* in any other case; then the question must begin *a maximo*. Or whether the lesser includes the greater, as in questions on the limitation of the rate of interest, on what day the session shall be closed by adjournment, on what day the next shall commence

*Rule 13. In filling up blanks, the largest sum and longest time shall be first put.

when an act shall commence, or the *terminus a quo* in any other case where the question must begin *a minimo;* the object being not to begin at that extreme which, and more, being within every man's wish, no one could negative it, and yet, if he should vote in the affirmative, every question for more would be precluded; but at that extreme which would unite few, and then to advance or recede till you get a number which will unite a bare majority. 3 *Grey*, 376, 384, 385. "The fair question in this case is not that to which, and more, all will agree, whether there shall be addition to the question." *Grey*, 355.

Another exception to the rule of priority is when a motion has been made to strike out or agree to a paragraph. Motions to amend it are to be put to the question before a vote is taken on striking out or agreeing to the whole paragraph.

But there are several questions which, being incidental to every one, will take place of every one, privileged or not, to-wit : a question of order arising out of any other question must be decided before that question. 2. *Hats.*, 88.

A matter of privilege arising out of any question, or from a quarrel between two members or any other cause, supercedes the consideration of the original question, and must be first disposed of. 2 *Hats.*, 88.

Reading papers relative to the question before the House. This question must be put before the principal one. 2 *Hats.*, 88.

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and cannot be withdrawn without leave, the very terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

SECTION XXXIV

THE PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question. "Whether that question (called the main question) shall now be put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew.*, 28; 4 *Grey*, 27.

The previous question being moved and seconded, the question from the chair shall be, "Shall the main question be now put?" and if the nays prevail, the main question shall not then be put.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. 1 *Hats.*, 80. Sir Henry Vane introduced it. 2

Grey, 113, 114; 3 *Grey*, 384. When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words, "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over (4 *Grey*, 43), but now for that day and no longer. 2 *Grey*, 113, 114.

Before the question "Whether the main question shall now be put?" any person might formerly have spoken to the main question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew.*, 28.

The proper occasion for the previous question, is when a question is brought forward of a delicate nature as to high personages, etc., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed; and in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been extended abusively to other cases; but in these it has been an embarrassing procedure; its uses would be as well answered by other more simple parliamentary forms, and therefore it should not be favored, but restricted within as narrow limits as possible.

Whether a main question may be amended after the previous question on it has been moved and seconded? 2 *Hatsell*, 88, says, if the previous question has been moved and seconded, and also proposed from the chair (by which he means stated by the Speaker for debate), it has been doubted whether an amendment can be admitted to the main question. He thinks it may, after the previous question is moved and seconded; but not after it has been proposed from the chair. In this case he thinks the friends to the amendment must vote that the main question be not now put; and then move their amended question, which being made new by the amendment, is no longer the same which has just been suppressed, and therefore may be proposed as a new one. But this proceeding certainly endangers the main question, by dividing its friends, some of whom may choose it unamended, rather than lose it altogether; while others of them may vote, as Hatsell advises, that the main question be not now put with a view to move it again in an amended form. The enemies of the main question, by this manœuvre to the previous question, get the enemies to the amendment added to them on the first vote, and throw the friends of the main question under the embarrassment of rallying again as they can. To support his opinion, too, he makes the deciding circumstances, whether an amendment may or may not be made, to be, that

the previous question has been proposed from the Chair. But, as the rule is that the House is in possession of a question as soon as it is moved and seconded, it cannot be more than possessed of it by its being also proposed from the Chair. It may be said, indeed, that the object of the previous question being to get rid of a question, which it is not expedient should be discussed, this object may be defeated by moving to amend, and, in the discussion of that motion, involving the subject of the main question. But so may the object of the previous question be defeated, by moving the amended question as Mr. Hatsell proposes after the decision against putting the original question. He acknowledges, too, that the practice has been to admit previous amendments, and only cites a few late instances to the contrary. On the whole, I should think it best to decide it ab inconvenienti, to wit: which is most inconvenient, to put it in the power of one side of the House to defeat a proposition by hastily moving the previous question, and thus forcing the main question to be put unamended; or to put it in the power of the other side to force on, incidentally at least, a discussion which would be better avoided? Perhaps the last is the least inconvenience; inasmuch as the Speaker, by confining the discussion rigorously to the amendment only, may prevent their going into the main question, and inasmuch also as so great a proportion of the cases in which the previous question is called for, are fair and proper subjects for public discussion, and ought not to be obstructed by a formality introduced for questions of a peculiar character.

SECTION XXXV.

AMENDMENTS.

On an amendment being moved, a member who has spoken to the main question may speak again to the amendment. *Scob.*, 23.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order; for were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress, instead of subserving the legislative will.

Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition, by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. 2 *Hats.*. 79, 4, 82, 84. A new bill may be engrafted by way of amendment, on the words, "Be it enacted," etc. 1 *Grey*, 190, 192.

If it be proposed to amend by leaving out certain words, it may

be moved, as an amendment to this amendment, to leave out part of the words of the amendment, which is equivalent to leaving them in the bill. 2 *Hats.*, 80, 9. The parliamentary question is, always, whether the words shall stand part of the bill.

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it cannot be amended afterwards, in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments, before the question is put for striking it out. If on the question it be retained, it cannot be amended afterwards, because a vote against striking out is equivalent to a vote agreeing to it in that form.

When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is first to read the whole passage to be amended as it stands at present, then the words proposed to be struck out, next those to be inserted, and lastly the whole passage as it will be when amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If that be lost, it may be moved to insert others. 2 *Hats.*, 80, 7.

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words, and to insert others, of a tenor entirely different from those first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, because to strike out and insert A, is one proposition To strike out and insert B, is a different proposition. And to strike out and insert nothing is still different. And the rejection of one proposition does not preclude the offering a different one. Nor would it change the case were the first motion divided by putting the question first on striking out, and that negatived; for, as putting the whole motion to the question at once would not have precluded, the putting the half of it cannot do it.*

*In the case of a division of the question, and a decision against striking out, I advance doubtingly the opinion here expressed. I find no authority either way, and I know it may be viewed under a different aspect. It may be thought that, having decided separately not to strike out the passage, the same question for striking out cannot be put over again, though with a view to a different insertion. Still I think it more reasonable and convenient to consider the striking out and insertion as forming one proposition; but should readily yield to any evidence that the contrary is the practice in Parliament.

But if it had been carried affirmatively to strike out the words and to insert A, it could not afterwards be permitted to strike out A and insert B. The mover of B should have notified, while the insertion of A was under debate, that he would move to insert B; in which case those who preferred it would join in rejecting A.

After A is inserted, however, it may be moved to strike out a portion of the original paragraph, comprehending A, provided the coherence to be struck out be so substantial as to make this effectively a different proposition; for then it is resolved into the common case of striking out a paragraph after amending it. Nor does anything forbid a new insertion, instead of A and its coherence.

In Senate, January 25, 1798, a motion to postpone until the second Tuesday in February some amendments proposed to the Constitution; the words "until the second Tuesday in February" were struck out by way of amendment. Then it was moved to add, "until the first day of June." Objected that it was not in order, as the question should be first put on the longest time; therefore, after a shorter time decided against, a longer cannot be put to question. It was answered that this rule takes place only in filling blanks for time. But when a specific time stands part of motion, that may be struck out as well as any other part of a motion; and when struck out, a motion may be received to insert any other. In fact, it is not until they are struck out, and a blank for the time thereby produced, that the rule can begin to operate, by receiving all the propositions for different times, and putting the question successively on the longest. Otherwise it would be in the power of the mover, by inserting originally a short time, to preclude the possibility of a longer, for till the short time is struck out, you cannot insert a longer; and if, after it is struck out, you cannot do it, then it cannot be done at all. Suppose the first motion had been made to amend by striking out "the second Tuesday in February," and inserting instead thereof "the first of June;" it would have been regular, then, to divide the question, by proposing the first question to strike out and then that to insert. Now this is precisely the effect of the present proceeding; only, instead of one motion and two questions, there are two motions and two questions to effect it—the motion being divided as well as the question.

When the matter contained in two bills might better be put into one, the manner is to reject the one, and incorporate its matter into another bill by way of amendment. So if the matter of one bill would be better distributed into two, any part may be struck out by way of amendment, and put into a new bill. If a section is to be

transposed, a question must be put on striking it out where it stands, and another for inserting it in the place desired.

A bill passed by the one house with blanks. These may be filled up by the other by way of amendments, returned to the first as such, and passed. 3 *Hats.*, 83.

The number prefixed to the section of a bill, being merely a marginal indication, and no part of the text of the bill, the clerk regulates that—the House or committee is only to amend the text.

SECTION XXXVI.

DIVISION OF THE QUESTION.

If a question contain more parts than one, it may be divided into two or more questions. *Mem. in Hakew.*. 39. But not as the right of an individual member, but with the consent of the House. For who is to decide whether a question is complicated or not?—where it is complicated?—into how many propositions it may be divided? The fact is, that the only mode of separating a complicated question is by moving amendments to it; and these must be decided by the House, on a question, unless the House orders it to be divided; as, on the question, December 2, 1640, making void the election of the knights for Worcester, on a motion it was resolved to make two questions of it, to-wit: one on each knight. 2 *Hats.*, 85, 86. So, wherever there are several names in question, they may be divided and put one by one. 9 *Grey*, 444. So, 1729, April 17, on an objection that a question was complicated, it was separated by amendment. 2 *Hats.*, 79.

The soundness of these observations will be evident from the embarrassments produced by the 12th rule of the Senate, which says, "If the question in debate contain several points, any member may have the same divided."

1798, May 30, the alien bill in quasi-committee. To a section and proviso in the original had been added two new provisos by way of amendment. On a motion to strike out the section as amended, the question was desired to be divided. To do this it must be put first on striking out either the former proviso or some distinct member of the section. But when nothing remains but the last member or the section and the proviso, they cannot be divided so as to put the last member to question by itself; for the provisos might then be left standing alone as exceptions to a rule when the rule is taken away; or the new provisos might be left to a second question, after having been decided on once before at the same reading, which is contrary to rule. But the question must be on striking out the last member of the

section as amended. This sweeps away the exceptions with the rule, and relieves from inconsistence. A question to be divisible, must comprehend points so distinct and entire that one of them being taken away the other may stand entire. But a proviso or exception without an enacting clause does not contain an entire point or proposition.

May 31. The same bill being before the Senate. There was a proviso that the bill should not extend, 1, To any foreign minister; nor, 2, To any person to whom the President should give a passport; nor, 3, To any alien merchant conforming himself to such regulations as the President shall prescribe; and a division of the question into its simplest elements was called for. It was divided into four parts, the fourth taking in the words, "conforming himself," etc. It was objected that the words, "any alien merchant," could not be separated from their modifying words, "conforming," etc., because these words if left by themselves contain no substantive idea—will make no sense. But admitting that the divisions of a paragraph into separate questions must be so made that each part may stand by itself, yet the House having, on the question, retained the two first divisions, the words, "any alien merchant," may be struck out, and their modifying words will then attach themselves to the preceding description of persons, and become a modification of that description.

When a question is divided, after the question on the first member, the second is open to debate and amendment; because it is a known rule that a person may rise and speak at any time before the question has been completely decided, by putting the negative as well as the affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put. See *Execut. Jour.*, *June* 25, 1795. The same decision by President Adams.

SECTION XXXVII.

CO-EXISTING QUESTIONS.

It may be asked whether the House can be in possession of two motions or propositions at the same time, so that one of them being decided, the other goes to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the House, and does not stand ipso facto before them at their next meeting, but must come forward in the usual way. So, when it is interrupted by the order of the day. Such other privileged questions also as dispose of the main question (*e. g.* the previous question, postponement, or commitment),

remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded, no other can be received, except it be a privileged one.

SECTION XXXVIII.

EQUIVALENT.

If, on a question for rejection, a bill be retained, it passes of course to its next reading. *Hakew.*, 141; *Scob.*, 42. And a question for a second reading determined negatively, is a rejection without further question. 4 *Grey*, 149. And see *Elsynge's Mem.*, 42, in what cases questions are to be taken for rejection.

Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. 4 *Grey*, 157. Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit: to adhere.

A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this a vote of disagreement, or must the question on disagreement be expressly voted? The questions respecting amendments from another house are—1st, to agree; 2d, to disagree; 3d, recede; 4th, insist; 5th, adhere.

1st. To agree.
2d. To disagree.

Either of these concludes the other necessarily, for the positive of either is exactly the equivalent of the negative of the other, and no other alternative remains. On either motion amendments to the amendments may be proposed: *e. g.*, if it be moved to disagree, those who are for the amendment have a right to propose amendments, and to make it as perfect as they can, before the question of disagreeing is put.

3d. To recede.	You may then either insist or adhere.
4th. To insist.	You may then either recede or adhere.
5th. To adhere.	You may then either recede or insist.

Consequently the negative of these is not equivalent to a positive vote the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

SECTION XXXIX.

THE QUESTION.

The question is to be first put on the affirmative, and then on the negative side.

After the Speaker has put the affirmative part of the question, any member who has not spoken before to the question may rise and speak before the negative be put; because it is no full question till the negative part be put. *Scob.*, 23; 2 *Hats.*, 73.

But in small matters, and which are, of course, such as receiving petitions, reports, withdrawing motions, reading papers, etc., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally. *Scob.*, 22; 2 *Hats.*, 87; 5 *Grey*, 129; 9 *Grey*, 301.

SECTION XL.

BILLS—THIRD READING.

To prevent bills from being passed by surprise, the House by a standing order, directs that they shall not be put on their passage before a fixed hour, naming one at which the House is commonly full. *Hakew.*, 153.

[The usage of the Senate is, not to put bills on their passage till noon.]

A bill reported and passed to the third reading cannot on that day be read the third time and passed; because this would be to pass on two readings in the same day.

At the third reading the clerk reads the bill and delivers it to the Speaker, who states the title, that it is the third time of reading the bill, and that the question will be whether it shall pass? Formerly, the Speaker, or those who prepared a bill, prepared also a breviate or summary statement of its contents, which the Speaker read when he de-

clared the state of the bill, at the several readings. Sometimes, however, he read the bill itself, especially on its passage. *Hakew.*, 136, 137, 153; Coke, 22, 115. Latterly, instead of this, he, at the third reading, states the whole contents of the bill, verbatim, only, instead, of reading the formal parts "Be it enacted," etc., he states that "preamble recites so and so—the first section enacts that, etc.; the second section enacts," etc.

[But in the Senate of the United States both of these formalities are dispensed with; the breviate presenting but an imperfect view of the bill, and being capable of being made to present a false one; and the full statement being a useless waste of time, immediately after a full reading by the clerk, and especially as every member has a printed copy in his hand]

A bill on the third reading is not to be committed for the matter or body thereof; but to receive some particular clause or proviso, it has been sometimes suffered, but as a thing very unusual. *Hakew.*, 126. Thus, 27 *El.*, 1584, a bill was committed on the third reading, having been formally committed on the second, but it is declared not usual. *D'Ewes*, 337, *col.*, 2; 414, *col.* 2.

When an essential provision has been omitted, rather than erase the bill and render it suspicious, they add a clause on a separate paper, engrossed and called a rider, which is read and put to the question three times. *Elsynge's Memorials*, 59; 6 *Grey*, 335; 1 *Blackst.*, 183. For examples of riders, see 3 *Hats.*, 121, 122, 124, 126. Every one is at liberty to bring in a rider without asking leave. 10 *Grey*, 52.

It is laid down as a general rule, that amendments proposed at the second reading shall be twice read, and those proposed at the third reading thrice read; as also all amendments from the other House. *Town.*, *col.* 19, 23, 24, 25, 26, 27, 28.

It is with great and almost invincible reluctance that amendments are admitted at this reading, which occasion erasures or interlineations. Sometimes a proviso has been cut off from a bill; sometimes erased. 9 *Grey*, 513.

This is the proper stage for filling up blanks; for if filled up before, and now altered by erasure, it would be peculiarly unsafe.

At this reading the bill is debated afresh, and for the most part is more spoken to at this time than on any of the former readings. *Hakew.*, 153.

The debate on the question whether it should be read a third time has discovered to its friends and opponents the arguments on which each side relies, and which of these appear to have influence with the House; they have had time to meet them with new arguments, and to put their

old ones into new shapes. The former vote has tried the strength of the former opinion, and furnished grounds to estimate the issue; and the question now offered for its passage is the last occasion which is ever to be offered for carrying or rejecting it.

When the debate is ended, the Speaker, holding the bill in his hand, puts the question for its passage, by saying, "Gentlemen, all of you who are of opinion that this bill shall pass, say aye;" and after the answer of the ayes, "All those of the contrary opinion, say no." *Hakew*,. 154.

After the bill is passed, there can be no further alteration of it in any point. *Hakew.*, 159.

SECTION XLI

DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House. But if he be not himself satisfied which voice is the greater, or if before any other member comes into the House, or before any new motion is made (for it is too late after that), any member shall rise and declare himself dissatisfied with the Speaker's decision, then the Speaker is to divide the House. *Scob.*, 24; 2 *Hats.*, 140.

When the House of Commons is divided, the one party goes forth, and the other remains in the House. This has made it important which go forth and which remain; because the latter gain all the indolent, the indifferent, and inattentive. Their general rule therefore, is, that those who give their vote for the preservation of the orders of the House, shall stay in; and those who are for introducing any new matter or alteration, or proceeding contrary to the established course, are to go out. But this rule is subject to many exceptions and modifications. 2 *Hats.*, 134; 1 *Rush.*, *p.* 3, *fol.* 92; *Scob.*, 43, 52; *Co.*, 12, 116; *D'Ewes*, 505, *col.* 1; *Mem. in Hakew.*, 25, 29, as will appear by the following statement of who go forth.

Petition that it be received*	Ayes.
Read	
Lie on the table	Noes.
Rejected after refusal to lie on the table	
Referred to committee for further proceeding	Ayes.
Bill, that it be brought in.	Ayes.
Read first or second time	
Engrossed or read a third time	
Proceedings on every other stage	
Committed	

* Noes. 9 Grey, 365.

To committee of the whole	Noes.	
To select committee	Ayes.	
Report of bill to lie on table	Noes.	
Be now *read*	Ayes.	
Be taken into consideration three months hence	30, P. J.	251
Amendments to be read a second time	Noes.	
Clause offered on report of bill be read a second time	Ayes.	
For receiving a clause		334
With amendments be engrossed		395
That a bill be *now* read a third time	Noes.	398
Receive a rider	260	
Pass		
Be printed	Ayes.	259
Committees. That A take the chair		
To agree to the whole or any part of report		
That the House do *now* resolve into committee		
Speaker. That he now leave the chair, after order to go into committee	Noes.	291
That he issue warrant for new writ		
Member. That none be absent without leave		
Witness. That he be further examined	Ayes.	344
Previous question	Noes.	
Blanks. That they be filled with the largest sum	Ayes.	
Amendments. That words stand part of		
Lords. That their amendment be read a second time	Noes.	
Messenger be received	Ayes.	
Orders of day be now read, if before 2 o'clock		
If after 2 o'clock	Noes.	
Adjournment. Till the next sitting day, if before 4 o'clock	Ayes.	
If after 4 o'clock	Noes.	
Over a sitting day (unless a previous resolution)	Ayes.	
Over the 30th of January	Noes.	
For sitting on Sunday, or any other day not being a sitting day	Ayes.	

The one party being gone forth, the Speaker names two tellers from the affirmative and two from the negative side, who first count those sitting in the House and report the number to the Speaker. Then they place themselves within the door, two on each side, and count those who went forth as they come in, and report the number to the Speaker. *Mem. in Hakew.*, 26.

A mistake in the report of the tellers may be rectified after the report made. 2 *Hats.*, 145, note.

[But in both Houses of Congress all these intricacies are avoided. The ayes first rise, and are counted standing in their places by the President or Speaker. Then they sit, and the noes rise and are counted in like manner.]

[In Senate, if they are equally divided, the Vice-President announces his opinion, which decides.]

[The Constitution, however, has directed that "the yeas and nays of the members of either House, on any question shall, at the desire of one-fifth of those present, be entered on the journal." And again: that in all cases of reconsidering a bill disapproved by the President, and returned with his objections, "the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journals of each House respectively."]

[By the 16th and 17th rules of the Senate, when the yeas and nays shall be called for by one-fifth of the members present, each member called upon shall, unless for special reasons he be excused by the Senate, declare openly, and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the members shall be taken alphabetically.]

[When the yeas and nays shall be taken upon any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.]

[When it is proposed to take the vote by yeas and nays, the President or Speaker states that "the question is whether, *e. g.*, the bill shall pass—that it is proposed that the yeas and nays shall be entered on the journal. Those, therefore, who desire it, will rise." If he finds and declares that one-fifth have risen, he then states that "those who are of the opinion that the bill shall pass, are to answer in the affirmative; those of the contrary opinion in the negative." The clerk then calls over the names alphabetically, notes the yea or nay of each, and gives the list to the President or Speaker, who declares the result. In the Senate, if there be an equal division, the Secretary calls on the Vice-President and notes his affirmative or negative, which becomes the decision of the House.]

In the House of Commons, every member must give his vote the one way or the other, (*Scob.*, 24.,) as it is not permitted to any one to withdraw who is in the House when the question is put, nor is any one to be told in the division who was not in when the question was put. *Hats*, 140.

This last position is always true when the vote is by yeas and nays;

where the negative as well as affirmative of the question is stated by the President at the same time, and the vote of both sides begins and proceeds *pari passu*. It is true also when the question is put in the usual way, if the negative has also been put; but if it has not, the member entering, or any other member, may speak, and even propose amendments, by which the debate may be opened again, and the question be greatly deferred. And as some who have answered aye may have been changed by the new arguments, the affirmative must be put over again. If, then, the member entering may, by speaking a few words, occasion a repetition of a question, it would be useless to deny it on his simple call for it.

While the House is telling, no member may speak or move out of his place, for if any mistake be suspected it must be told again. *Mem. in Hakew.*, 26; 2 *Hats.*, 143.

If any difficulty arises in point of order during the division, the Speaker is to decide peremptorily, subject to the future censure of the House if irregular. He sometimes permits old experienced members to assist him with their advice which they do sitting in their seats, covered, to avoid the appearance of debate; but this can only be with the Speaker's leave, else the division might last several hours. 2 *Hats.*, 143.

The voice of the majority decides; for the *lex majoris partis* is the law of all councils, elections, etc., where not otherwise expressly provided. *Hakew.*, 93. But if the House be equally divided, "*semper presumatur pro negante;*" that is, the former law is not to be changed but by a majority. *Towns.*, *col.* 134.

[But in the Senate of the United States, the Vice-President decides when the House is divided. *Const.*, *U. S.*, I, 3.]

When from counting the House on a division, it appears that there is not a quorum, the matter continues exactly in the State in which it was before the division, and must be resumed at that point on any future day. 2 *Hats.*, 126.

1606, May 1, on a question whether a member having said yea may afterwards sit and change his opinion, a precedent was remembered by the Speaker, of Mr. Morris, attorney of the wards, in 39 *Eliz.*, who in like case changed his opinion. *Mem. Hakew.*, 27.

SECTION XLII.

TITLES.

After the bill has passed, and not before, the title may be amended, and is to be fixed by a question; and the bill is then sent to the other house.

SECTION XLIII.

RECONSIDERATION.

[When a question has been once made and carried in the affirmative, or negative, it shall be in order for any member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of the possession of the Senate announcing their decision; nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken, or within the two next days of the actual session of the Senate thereafter. *Rule* 20.]

[1798, January. A bill on its second reading being amended and on the question whether it shall be read a third time negatived, was restored by a decision to reconsider that question. Here the votes of negative and reconsideration, like positive and negative quantities in an equation, destroy one another, and are as if they were expunged from the journal. Consequently the bill is open for amendment, just so far as it was the moment preceding the question for the third reading; that is to say, all parts of the bill are open for amendment except those on which votes have been already taken in its present stage. So, also, it may be recommitted.]

[*The rule permitting a reconsideration of a question affixing to it no limitation of time or circumstance, it may be asked whether there is no limitation? If, after the vote, the paper on which it is passed has been parted with, there can be no reconsideration; as if a vote has been for the passage of a bill, and the bill has been sent to the other House. But where the paper remains, as on a bill rejected, when, or under what circumstances, does it cease to be susceptible of reconsideration? This remains to be settled; unless, a sense that the right of reconsideration is a right to waste the time of the House in repeated agitations of the same question, so that it shall never know when a question is done with, should induce them to reform this anomolous proceeding.]

In Parliament, a question once carried cannot be questioned again at the same session, but must stand as the judgment of the House. *Towns. col*, 67; *Mem. in Hakew.*, 33. And a bill once rejected, another of the same substance cannot be brought in again the same session. *Hakew.*, 158; 6 *Grey*, 392, But this does not extend to prevent putting the same question in different stages of a bill; because

*The rule now fixes a limitation.

every stage of a bill submits the whole and every part of it to the opinion of the House, as open for amendment, either by insertion or omission, though the same amendment has been accepted or rejected in a former stage. So in reports of committees, *e. g.*, report of an address, the same question is before the House, and open for free discussion. *Towns.*, *col.* 26; 2 *Hats.*, 98, 100, 101. So orders of the House, or instructions to committee, may be discharged. So a bill, begun in one house, and sent to the other, and there rejected, may be renewed again in that other, passed and sent back. *Ib.*, 92; 3 *Hats.*, 161. Or if, instead of being rejected, they read it once and lay it aside, or amend it, and put it off a month, they may order in another to the same effect, with the same or a different title. *Hakew.*, 97, 98.

Divers expedients are used to correct the effects of this rule; as by passing an explanatory act, if anything has been omitted or ill expressed (3 *Hats.*, 278), or an act to enforce, and make more effectual an act, etc., or to rectify mistakes in act, etc., or a committee on one bill may be instructed to receive a clause to rectify the mistakes of another. Thus, June 24, 1685, a clause was inserted in a bill for rectifying a mistake committed by a clerk in engrossing a bill of supply. 2 *Hats.*, 194, 6. Or the session may be closed for one, two, three, or more days, and a new one commenced. But then all matters depending must be finished, or they fall, and are to begin de novo. 3 *Hats.*, 94, 98. Or a part of the subject may be taken up by another bill, or taken up in a different way. 6 *Grey*, 304, 316.

And in cases of the last magnitude, this rule has not been so strictly and verbally observed as to stop indispensable proceedings altogether. 2 *Hats.*, 92, 98. Thus when the address on the preliminaries of peace in 1782 had been lost by a majority of one, on account of the importance of the question, and smallness of the majority, the same question in substance, though with some words not in the first, and which might change the opinion of some members, was brought on again and carried, as the motives for it were thought to outweigh the objection of form. 2 *Hats.*, 99, 100.

A second bill may be passed to continue an act of the same session, or to enlarge the time limited for its execution. 2 *Hats.*, 95, 98. This is not in contradiction to the first act.

SECTION XLIV.

BILLS SENT TO THE OTHER HOUSE.

[All bills passed in the Senate shall, before they are sent to the House of Representatives, be examined by a committee, consisting of three members, whose duty shall be to examine all bills, amendments,

resolutions, or motions, before they go out of the possession of the Senate, and to make report that they are correctly engrossed; which report shall be entered on the journal. *Rule* 33.]

A bill from the other House is sometimes ordered to lie on the table. 2 *Hats.*, 97.

When bills, passed in one House and sent to the other, are grounded on special facts requiring proof, it is usual, either by message or at a conference, to ask the grounds and evidence; and this evidence, whether arising out of papers, or from the examination of witnesses, is immediately communicated. 3 *Hats.*, 48.

SECTION XLV.

AMENDMENTS BETWEEN THE HOUSES.

When either house, *e. g.*, the House of Commons, sends a bill to the other, the other may pass it with amendments. The regular progression in this case is, that the Commons disagree to the amendment; the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question open. But the first adherence by either renders it necessary for the other to recede or adhere also; when the matter is usually suffered to fall. 10 *Grey*, 148, Latterly, however, there are instances of their having gone to a second adherence. There must be an absolute conclusion of the subject somewhere, or otherwise transactions between the houses would become endless. 3 *Hats.*, 268, 270. The term of insisting, we are told by Sir John Trevor, was then (1679) newly introduced into parliamentary usage by the Lords. 7 *Grey*, 94. It was certainly a happy innovation, as it multiplies the opportunities of trying modifications which may bring the houses to concurrence. Either house, however, is free to pass over the term of insisting, and to adhere in the first instance (10 *Grey*, 146); but it is not respectful to the other. In the ordinary parliamentary course, there are two free conferences, at least before an adherence. 10 *Grey*, 147.

Either house may recede from its amendment and agree to the bill; or recede from their disagreement to the amendment, and agree to the same absolutely, or with an amendment; for here the disagreement and receding destroy one another, and the subject stands as before the disagreement. *Elsynge*, 23, 27; 9 *Grey*, 476.

But the House cannot recede from, or insist on its own amendment, with an amendment; for the same reason that it cannot send to the other house an amendment to its own act after it has passed the

act. They may modify an amendment from the other house by ingrafting an amendment on it, because they have never assented to it; but they cannot amend their own amendment, because they have, on the question passed it in that form. 9 *Grey*, 363; 10 *Grey*, 240. In the Senate, March 29, 1798. Nor where one house has adhered to their amendment, and the other agrees with an amendment, can the first house depart from the form which they have fixed by an adherence.

In the case of a money bill, the Lords' proposed amendments become, by delay, confessedly necessary. The Commons, however, refused them, as infringing on their privileges as to money bills; but they offered themselves to add to the bill a proviso to the same effect, which had no coherence with the Lords' amendments; and urged that it was an expedient warranted by precedent, and not unparliamentary in a case become impracticable, and irremediable in any other way. 3 *Hats.*, 256, 266, 270, 271. But the Lords refused, and the bill was lost. 1 *Chand.*, 288. A like case, 1 *Chand.*, 311. So the Commons resolved that it was unparliamentary to strike out, at a conference, anything in a bill which had been agreed and passed by both Houses. 6 *Grey*, 274; 1 *Chand.*, 312.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree.

A bill originating in one House is passed by the other with an amendment.

The originating House agrees to their amendment with an amendment. The other may agree to their amendment with an amendment, that being only in the 2d and not the 3d degree; for, as to the amending House, the first amendment with which they passed the bill is a part of its text; it is the only text they have agreed to. The amendment to that text by the originating House, therefore, is only in the 1st degree, and the amendment to that again by the amending House is only in the 2d, to wit: an amendment to an amendment, and so admissible. Just so, when, on a bi from the originating House, the other, at its second reading makes an amendment; on the third reading this amendment is become the text of the bill, and if an amendment to it be moved, an amendment to that amendment may also be moved, as being only in the 2d degree.

SECTION XLVI.

CONFERENCES.

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of

difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be with the House which is possessed of the papers. 3 *Hats.*, 31; 1 *Grey*, 425.

Conferences may be either simple or free. At a conference simply, written reasons are prepared by the House asking it, and they are read and delivered, without debate, to the managers of the other House at the conference; but are not then to be answered. 4 *Grey*, 144. The other House, then, if satisfied, vote the reason satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory, and ask a conference on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. 3 *Grey*, 183. They are meant chiefly to record the jurisdiction of each House to the nation at large, and to posterity, and in proof that the miscarriage of a necessary measure is not imputable to them. 3 *Grey*, 255. At free conferences the managers discuss, viva voce and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party reports in writing to their respective Houses the substance of what is said on both sides, and it is entered in their journals. 9 *Grey*, 220; 3 *Hats.*, 280. This report cannot be amended or altered, as that of a committee may be. *Journal of Senate, May* 24, 1796.

A conference may be asked, before the House asking it has come to a resolution of disagreement, insisting or adhering. 3 *Hats.*, 269, 341. In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, "It is held vain, and below the wisdom of Parliament, to reason or argue against fixed resolutions, and upon terms of impossibility to persuade." 3 *Hats.*, 226. So the Commons say, "An adherence is never delivered at a free conference, which implies debate." 10 *Grey*, 137. And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons, that nothing was more parliamentary than to proceed with free conferences after adhering (3 *Hats.*, 269), and we do in fact see inferences of conferences, or of free conference, asked after the resolution of disagreeing (3 *Hats.*, 251, 253, 260, 286, 291. 316, 349); of insisting (*Ib.* 280, 296, 299, 319, 322, 355); of adhering (269, 270, 283, 300); and even

of a second or final adherence; 3 *Hats.*, 270. And in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other; and in one case where they refused to receive them, they were left on the table in the conference chamber. *Ib.*, 317, 323, 354; 10 *Grey*, 146.

After a free conference, the usage is to proceed with free conferences, and not return again to a conference. 3 *Hats.*, 270; 9 *Grey*, 229.

After a conference denied, a free conference may be asked. 1 *Grey*, 45.

When a conference is asked, the subject of it must be expressed, or the conference not agreed to. *Ord. H. Com.*, 89; 1 *Grey*, 425; 7 *Grey*, 31. They are sometimes asked to inquire concerning an offence or default of a member of the other House. 6 *Grey*, 181; 1 *Chand.*, 304. Or the failure of the other House to present to the King a bill passed by both Houses. 8 *Grey*, 302. Or on information received, and relating to the safety of the nation. 10 *Grey*, 177. Or when the methods of Parliament are thought by the one House to have been departed from by the other, a conference is asked to come to a right understanding thereon. 10 *Grey*, 148. So when an unparliamentary message has been sent, instead of answering it, they ask a conference. 3 *Grey*, 155. Formerly an address or article of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. 6 *Grey*, 128, 300, 387; 7 *Grey*, 80; 8 *Grey*, 210, 255; 1 *Torbuck's Deb.*, 278; 10 *Grey*, 293; 1 *Chandler*, 49, 287. But this is not the modern practice. 8 *Grey*, 255.

A conference has been asked after the first reading of the bill. 1 *Grey*, 194. This is a singular instance.

SECTION XLVII.

MESSAGES.

Messages between the Houses are to be sent only while both Houses are sitting. 3 *Hats.*, 15. They are received during debate without adjourning the debate. 3 *Hats.*, 22.

[In Senate the messengers are introduced in any state of business, except, 1. While a question is putting. 2. While the yeas and nays are calling. 3. While the ballots are counting. *Rule* 47. The first case is short; the second and third are cases where any interruption

might occasion errors difficult to be corrected. So arranged June 15, 1788.]

In the House of Representatives, as in Parliament, if the House be in committee when a messenger attends, the Speaker takes the chair to receive the message, and then quits it to return into committee, without any question or interruption. 4 *Grey*, 226.

Messengers are not saluted by the members, but by the Speaker of the House. 2 *Grey*, 253, 274.

If messengers commit an error in delivering their message, they may be admitted or called in to correct their message. 4 *Grey*, 41. Accordingly, March 13, 1800, the Senate having made two amendments to a bill from the House of Representatives, their Secretary, by mistake, delivered one only, which being inadmissible by itself, that house disagreed, and notified the Senate of their disagreement. This produced a discovery of the mistake. The Secretary was sent to the House to correct his mistake, the correction was received, and the two amendments acted on de novo.

As soon as the messenger, who has brought bills from the other House, has retired, the Speaker holds the bills in his hand, and acquaints the House "that the other house have by their messenger sent certain bills," and then reads their titles, and delivers them to the clerk, to be safely kept till they shall be called for to be read. *Hakew.*, 178.

It is not the usage for one House to inform the other by what numbers a bill has passed. 10 *Grey*, 150. Yet they have sometimes recommended a bill, as of great importance, to the consideration of the House to which it is sent. 3 *Hats.*, 25. Nor when they have rejected a bill from the other house, do they give notice of it; but it passes sub silentio, to prevent unbecoming altercations. 1 *Blackst.*, 183.

[But in Congress the rejection is notified by message to the house in which the bill originated.]

A question is never asked by the one house of the other by way of message, but only at a conference; for this is an interrogatory, not a message, 3 *Grey*, 151, 181.

When a bill is sent by one house to the other, and is neglected, they may send a message to remind them of it. 3 *Hats.*, 25; 5 *Grey*, 154. But if it be mere inattention, it is better to have it done informally, by communication between the Speakers or members of the two houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that

this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one house was not noticed by the other, because the declaration, being original, could not possibly be sent to both houses at the same time. 2 *Hats.*, 260, 261, 262.

The King having sent original letters to the Commons, afterwards desires they may be returned, that he may communicate them to the lords. 1 *Chandler*, 303.

SECTION XLVIII.

ASSENT.

The house which has received a bill and passed it, may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two houses, from motives of respect and good understanding. 2 *Hats.*, 142. Were the bill to be withheld from being presented to the King, it would be an infringement of the rules of Parliament. *Ib.*

[When a bill has passed both houses of Congress, the house last acting on it notifies its passage to the other, and delivers the bill to the Joint Committee of Enrollment, who see that it is truly enrolled in parchment.] When the bill is enrolled, it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs may not give room for forgery. *Grey*, 143. [It is then put into the hands of the clerk of the House of Representatives to have it signed by the Speaker. The clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrollment, who present it to the President of the United States. If he approve, he signs, and deposits it among the rolls in the office of the Secretary of State, and notifies by message the house in which it originated that he has approved and signed it; of which that house informs the other by message. If the President disapproves, he is to return it, with his objections, to that house in which it shall have originated; who are to enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the President's objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall

be a law, in like manner as if he had signed it, unless the Congress, by its adjournment, prevent its return; in which case it shall not be a law. *Const. U. S.*, I, 7.

[Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment), shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. *Const. U. S.*, I, 7.]

SECTION XLIX.

JOURNALS.

[Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. *Const.*, I, 5.]

[The proceedings of the Senate, when not acting as in a Committee of the Whole, shall be entered on the journals as concisely as possible, care being taken to detail a true account of the proceedings. Every vote of the Senate shall be entered on the journals, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, be also inserted on the journal. *Rule* 33.]

[The titles of bills, and such parts thereof only, as shall be affected by proposed amendments, shall be inserted on the journals. *Rule* 32.]

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. 2 *Hats.*, 83.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals; because it makes part of the vote of postponement, adjourning, or laying it on the table.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense; as there may be many questions proposed, which it may be improper to publish to the world in the form in which they are made. 2 *Hats.*, 85.

[In both Houses of Congress, all questions whereon the yeas and

nays are desired by one-fifth of the members present, whether decided affirmatively or negatively, must be entered on the journals. *Const.*, I, 5.]

The first order for printing the votes of the House of Commons was October 30, 1685. 1 *Chandler*, 387.

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob.*, 110, 111; *Lex. Parl.*, 114, 115; *Journal H. C., Mar.* 17, 1592; *Hale. Parl.*, 105. For the Lords in their house have power of judicature, the Commons in their house have power of judicature; and both houses together have power of judicature; and the Book of the Clerk of the House of Commons is a record, as is affirmed by act of Parl., 6 *H.* 8, *c.* 16; 4 *Inst.*, 23, 24; and every member of the House of Commons hath a judicial place. 4 *Inst.*, 15. As records they are open to every person, and a printed vote of either house is sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other, and report what has been done by the other in any particular case. 2 *Hats.*, 361; 3 *Hats.*, 27–30. Every member has a right to see the journals, and take and publish votes from them. Being a record, every one may see and publish them. 6 *Grey*, 118, 119.

On information of a mis-entry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. 2 *Hats.*, 194, 5.

SECTION L.

ADJOURNMENT.

The two Houses of Parliament have the sole, separate and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either house to comply with his requisition, or not, as they see fitting. 2 *Hats.*, 332; 1 *Blackstone*, 186; 5 *Grey*, 122.

[By the Constitution of the United States a smaller number than a majority may adjourn from day to day. I, 5. But "neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting." I, 5. And in case of disagreement between them, with respect to the time of adjournment, the President may adjourn them to such time as he shall think proper. *Const.*, II, 3.]

A motion to adjourn, simply, cannot be amended, as by adding

"to a particular day;" but must be put simply, "that this House do now adjourn;" and if carried in the affirmative, it is adjourned to the next sitting day, unless it has come to a previous resolution, "that at its rising it will adjourn to a particular day," and then the House is adjourned to that day. 2 *Hats.*, 82.

Where it is convenient that the business of the House be suspended for a short time, as for a conference presently to be held, etc., it adjourns during pleasure. 2 *Hats.*, 305; or for a quarter of an hour. 5 *Grey*, 331.

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. 5 *Grey*, 137. And from courtesy and respect, no member leaves his place till the Speaker has passed on.

SECTION LI.

A SESSION.

Parliament have three modes of separation, to wit: By adjournment, by prorogation or dissolution by the King, or by the efflux of the term for which they were elected. Prorogation or dissolution constitutes there what is called a session, provided some act has passed. In this case all matters depending before them are discontinued, and at their next meeting are to be taken up de novo, if taken up at all. 1 *Blackst.*, 186. Adjournment, which is by themselves, is no more than a continuance of the session from one day to another, or for a fortnight, a month, etc., ad libitum. All matters depending remain in statu quo, and when they meet again, be the term ever so distant, are resumed without any fresh commencement, at the point at which they were left. 1 *Lev.*, 165; *Lex. Parl.*, *c.* 2; 1 *Ro. Rep.*, 29; 4 *Inst.*, 7, 27, 28; *Hutt.*, 61; 1 *Mod.*, 252; *Ruffh. Jac. L. Dict. Parliament*; 1 *Blackst.*, 186. Their whole session is considered in law but as one day, and has relation to the first day thereof. *Bro. Abr. Parliament*, 86.

Committees may be appointed to sit during a recess by adjournment but not by prorogation. 5 *Grey*, 374; 9 *Grey*, 350; 1 *Chandler*, 50. Neither house can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose.

[Congress separate in two ways only, to-wit: by adjournment, or dissolution by the efflux of their time. What, then, constitutes a session with them? A dissolution closes one session, and the meeting of the new Congress begins another. The Constitution authorizes the President, "on extraordinary occasions to convene both houses, or

either of them." (I, 3) If convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session. So if it meets under the clause of the Constitution, which says, "the Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day." I, 4. This must begin a new session; for even if the last adjournment was to this day, the act of adjournment is merged in the higher authority of the Constitution, and the meeting will be under that, and not under their adjournment. So far, we have fixed landmarks for determining sessions. In other cases it is declared by the joint vote authorizing the President of the Senate and Speaker to close the session on a fixed day, which is usually in the following form: "Resolved by the Senate and House of Representatives, that the President of the Senate and Speaker of the House of Representatives be authorized to close the present session by adjourning their respective houses on the —— day of ———."]

When it was said above that all matters depending before Parliament were discontinued by the determination of the session, it was not meant for judiciary cases, depending before the House of Lords, such as impeachments, appeals, and writs of error. These stand continued, of course, to the next session. *Raym.*, 120, 381; *Ruffh. Jack. L. D. Parliament.*

[Impeachments stand, in like manner, continued before the Senate of the United States.]

SECTION LII.

TREATIES.

The President of the United States has power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. *Const. U. S.*, II, 2.]

[All confidential communications made by the President of the United States to the Senate, shall be by the members thereof kept secret; and that all treaties which may hereafter be laid before the Senate, shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy. *Rule* 39.]

Treaties are legislative acts. A treaty is the law of the land. It differs from other laws only as it must have the consent of a foreign nation, being but a contract with respect to that nation. In all countries, I believe, except England, treaties are made by the legislative power; and there also, if they touch the laws of the land, they must be approved by Parliament. Ware vs. Hayton, 3 *Dallas' Rep.*, 223.

It is acknowledged, for instance, that the King of Great Britain cannot by a treaty make a citizen of an alien. *Vattel, b.* 1, *c.* 19, *sec.* 214. An act of Parliament was necessary to valididate the American treaty of 1783. And abundant examples of such acts can be cited. In the case of the treaty of Utrecht, in 1712, the commercial articles required the concurrence of Parliament; but a bill brought in for that purpose was rejected. France, the other contracting party, suffered these articles, in practice, to be not insisted on, and adhered to the rest of the treaty. 4 *Russel's Hist. Mod. Europe*, 457; 2 *Smollet*, 242, 246.

[By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary legislature; the President originating, and the Senate having a negative. To what subjects this power extends has not been defined in detail by the Constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign nation party to the contract, or it would be a mere nullity, res inter alios acta. 2. By the general power to make treaties, the Constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and cannot be otherwise regulated. 3. It must have meant to except out of these rights reserved to the States; for surely the President and Senate cannot do by treaty what the whole government is interdicted from doing in any way. 4. And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some, on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others. The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe. Besides, as the negotiations are carried on by the Executive alone, the subjecting to the ratification of the representatives such articles as are within their participation, is no more inconvenient than to the Senate. But the ground of this exception is denied as unfounded. For examine, *e. g.* the treaty of commerce with France, and it will be found that, out of thirty-one articles, there are not more than small portions of two or three of them which would not still remain as subjects of treaties, untouched by these exceptions.]

Treaties being declared, equally with the laws of the United States, to be the supreme law of the land, it is understood that an act of the legislature alone can declare them infringed and rescinded. This was accordingly the process adopted in the case of France in 1798.

[It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the

correspondence of the negotiators. This having been omitted in case of the Prussian treaty, was asked by a vote of the House, of February 12, 1800, and was obtained. And in December, 1800, the convention of that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for, and communicated by the President.]

[The mode of voting on questions of ratification is by nominal call.]

[Whenever a treaty shall be laid before the Senate for ratification, it shall be read a first time for information only; when no motion to reject, ratify, or modify the whole, or any part, shall be received. Its second reading shall be for consideration, and on a subsequent day, when it shall be taken up as in a committee of the whole, and every one shall be free to move a question on any particular article, in this form: "Will the Senate advise and consent to the ratification of this article?" or to propose amendments thereto, either by inserting or by leaving out words, in which last case the question shall be: "Shall the words stand part of the article?" And in every of the said cases, the concurrence of two-thirds of the Senators present shall be requisite to decide affirmatively. And when, through the whole, the proceedings shall be stated to the House, and questions be again severally put thereon, for confirmation, or new ones proposed, requiring in like manner a concurrence of two-thirds for whatever is retained or inserted.]

[The votes so confirmed shall, by the House, or a committee thereof, be reduced into the form of a ratification, with or without modifications, as may have been decided, and shall be proposed on a subsequent day, when every one shall again be free to move amendments, either by inserting or leaving out words; in which last case the question shall be: "Shall the words stand part of the resolution?" And in both cases the concurrence of two-thirds shall be requisite to carry the affirmative; as well as on the final question to advise and consent to the ratification in the form agreed to. *Rule* 37.]

[When any question may have been decided by the Senate, in which two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question may be at liberty to move for a reconsideration, and a motion for reconsideration shall be decided by a majority of votes. *Rule* 37.]

SECTION LIII.

IMPEACHMENT.

[The House of Representatives shall have the sole power of impeachment. *Const. U. S.*, I, 3.]

[The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States. But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment according to law. *Const.*, I, 3.]

[The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. *Const.*, II, 4.]

[The trial of crimes, except in cases of impeachment, shall be by jury. *Const.*, III, 2.]

These are the provisions of the Constitution of the United States on the subject of impeachments. The following is a sketch of some of the principles and practices of England on the same subject:

Jurisdiction. The Lords cannot impeach any to themselves, nor join in the accusation, because they are the judges. *Seld. Judic. in Parl.*, 12, 63. Nor can they proceed against a commoner but on complaint of the Commons. *Ib.*, 84. The Lords may not, by the law, try a commoner for a capital offense, on the information of the King or a private person, because the accused is entitled to a trial by his peers generally; but on accusation by the House of Commons, they may procced against the delinquent, of whatsoever degree, and whatsoever be the nature of the offense; for there they do not assume to themselves trial at common law. The commons are then instead of a jury, and the judgment is given on their demand, which is instead of a verdict. So the Lords do only judge, but not try the delinquent. *Ib.* 6, 7. But Wooddeson denies that a commoner can now be charged capitally before the Lords, even by the Commons; and cites Fitzharris's case, 1681, impeached for high treason, where the Lords remitted the prosecution to the inferior court. 8 *Grey's Deb.*, 325–7; *Wooddeson*, 601, 576; 3 *Seld.*, 1610, 1619, 1641; 4 *Blackst.*, 25; 73 *Seld.*, 1604, 1618; 9, 1656.

Accusation. The Commons, as the grand inquest of the nation,

become suitors for penal justice. 2 *Woodd.*, 597; 6 *Grey*, 356. The general course is to pass a resolution containing a criminal charge against the supposed delinquent, and then to direct some member to impeach him by oral accusation, at the bar of the House of Lords, in the name of the Commons. The person signifies that the articles will be exhibited, and desires that the delinquent may be sequestered from his seat, or be committed, or that the peers will take order from his appearance. *Sachev. Trial*, 325; *Woodd.*, 602, 605; *Lords' Jour.* 3 *June*, 1701, 101; 1 *Wms.*, 616; 6 *Grey*, 324.

Process. If a party do not appear, proclamations are to be issued, giving him a day to appear. On their return they are strictly examined. If any error be found in them, a new proclamation issues, giving a short day. If he appear not, his goods may be arrested and they may proceed. *Seld. Judd.*, 98, 99.

Articles. The accusation (articles) of the Commons is substituted in place of an indictment. Thus, by the usage of Parliament, in impeachment for writing or speaking, the particular words need not be specified. *Sach. Tr.*, 325; 2 *Woodd.*, 602, 605; *Lords' Jour.*, 3 *June*, 1701; 1 *Wms.*, 616.

Appearance. If he appears, and the case be capital, he answers in custody; though not if the accusations be general. He is not to be committed but on special accusations. If it be for a misdemeanor only, he answers a Lord in his place, a Commoner at the bar, and not in custody, unless on the answer the Lords find cause to commit him, till he finds sureties to attend, and lest he should fly. *Seld. Jud.*, 98, 99. A copy of the articles is given him, and a day fixed for his answer. *T. Ray;* 1 *Rushw.*, 268; *Fost.*, 232; 1 *Clar. Hist. of the Reb.*, 379. On a misdemeanor, his appearance may be in person, or he may answer in writing, or by attorney. *Seld. Jud.*, 100. The general rule on accusation for a misdemeanor is, that in such a state of liberty or restraint as the party is when the Commons complain of him, in such he is to answer. *Ib.*, 101. If previously committed by the Commons, he answers as a prisoner. But this may be called in some sort judicium parium suorum. *Ib.* In misdemeanors the party has a right to counsel by the common law; but not in capital cases. *Seld. Jud.*, 102–5.

Answer. The answer need not observe great strictness of form. He may plead guilty as to part, and defend as to the residue; or, saving all exceptions, deny the whole or give a particular answer to each article separately. 1 *Rush.*, 274; 1 *Rush.*, 1374; 12 *Parl. Hist.*, 442; 3 *Lords' Journ.*, 13 *Nov.*, 1643; *Woodd.*, 607. But he can-

not plead a pardon in bar to the impeachment. 2 *Woodd.*, 615; 2 St. Tr., 735.

Replication, rejoinder, etc. There may be a replication, rejoinder, etc. *Seld. Jud.*, 114; 8 *Grey's Deb.*, 233; *Sach. Tr.*, 15; *Journ. H. of Commons*, 6 *March*, 1640, 1.

Witnesses. The practice is to swear the witnesses in open House, and then examine them there; or a committee may be named, who shall examine them in committee, either on interrogatories agreed on in the House, or such as the committee in their discretion shall demand. *Seld. Jud.*, 120, 123.

Jury. In the case of Alice Pierce, 1 *R.* 2, a jury was impanneled for her trial before a committee. *Seld. Jud.*, 123. But this was on a complaint, not on impeachment by the commons. *Seld. Jud.*, 163. It must also have been for a misdemeanor only, as the lords spiritual sat in the case, which they do on misdemeanors, but not in capital cases. *Id.*, 148. The judgment was a forfeiture of all her lands and goods. *Id.*, 188. This, Seldon says, is the only jury he finds recorded in Parliament for misdemeanor; but he makes no doubt, if the delinquent doth put himself on trial of his country, a jury ought to be impanneled, and he adds that it is not so on imp achment by the commons; for they are in loco proprio, and there no jury ought to be impanneled. *Id.* 124. The Ld. Berkely (6 *E.* 3) was arraigned for the murder of L. 2, on an information on the part of the King, and not on impeachment of the commons; for then they had been patria. sua. He waived his peerage, and was tried by a jury of Gloucestershire and Warwickshire. *Id.*, 125. In 1 H. 7, the commons protest that they are not to be considered as parties to any judgment given, or hereafter to be given in Parliament. *Seld. Jud.*, 133 They have been generally and more justly considered, as is before stated, as the grand jury; for the conceit of Seldom is certainly not accurate, and they are the patria sua of the accused, and that the lords do only judge, but not try. It is undeniable that they do try; for they examine witnesses as to the facts, and acquit or condemn, according to their own belief of them. And Lord Hale says "the peers are judges of law as well as of fact;" 2 *Hale, P. C.*, 275; consequently of fact as well as of law.

Presence of Commons. The commons are to be present at the examination of witnesses. *Seld Jud.*, 124. Indeed, they are to attend throughout, either as a committee of the whole House, or otherwise, at discretion, appoint managers to conduct the proofs. *Rushw. Tr. of Straff.*, 37; *Com. Journ.*, 4 *Feb.*, 1709–10; 2 *Woodd.*, 614. And judgment is not to be given till they demand it. *Seld., Jud.*, 124. But they are not to be present on impeachment when the lords consider

of the answer of proofs and determine of their judgment. Their presence, however, is necessary at the answer and judgment in cases capital (*Id.*, 58, 159) as well as not capital; (162.) The lords debate the judgment among themselves. Then the vote is first taken on the question of guilty or not guilty; and if they convict, the question, or particular sentence, is out of that which seemeth to be most generally agreed on. *Seld. Jud.*, 167; 2 *Woodd.*, 612.

Judgment. Judgments in Parliament, for death, have been strictly guided per legem terræ, which they cannot alter; and not at all according to their discretion. They can neither omit any legal part of the judgment nor add to it. Their sentence must be secundum, non ultra legem. *Seld. Jud.*, 168–171. This trial, though it varies in external ceremony, yet differs not in essentials from criminal prosecutions before inferior courts. The same rules of evidence, the same legal notions of crimes and punishments, prevailed; for impeachments are not framed to alter the law, but to carry it into more effectual execution against too powerful delinquents. The judgment, therefore, is to be such as is warranted by legal principles or precedents. 6. *Sta. Tr.*, 14; 2 *Woodd*, 611. The Chancellor gives judgment in misdemeanors; the Lord High Steward formerly in cases of life and death. *Seld. Jud.*, 180, But now the Steward is deemed not necessary. *Fost.*, 144; 2 *Woodd.*, 613. In misdemeanors the greatest corporal punishment hath been imprisonment. *Seld. Jud.*, 184.' The King's assent is necessary in capital judgments (2 *Woodd*, 614, contra), but not in misdemeanors. *Seld. Jud.*. 136.

Continuance. An impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. *T. Ray.*, 383; 4 *Com. Journ.*, 23 *Dec.*, 1790; *Lord's Journ.*, *May* 15, 1791; 2 *Woodd.*, 618.

LEGISLATIVE ASSEMBLIES.

TERRITORIAL GOVERNMENT.

First Session of the First Legislative Assembly of Colorado, convened at Denver September 9th, and adjourned November 7th, 1861.

COUNCIL.

E. A. ARNOLD, of Lake, President; S. L. BAKER, Secretary; DAVID A. CHEVER, Asst.-Sec.; E. W. KINGSBURY, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
H. J. Graham	Weld and Larimer	First.
Amos Steck	Arapahoe	Second.
Charles W. Mather	Gilpin and Boulder	Third.
H. F. Parker	Gilpin	Fourth.
A. U. Colby	Clear Creek	Fifth.
S. M. Robbins	Summit	Sixth.
E. A. Arnold	Lake	Seventh.
R. B. Willis	El Paso	Eighth.
J. M. Francisco	Huerfano and Pueblo	Ninth.

REPRESENTATIVES.

CHARLES F. HOLLY, of Boulder, Speaker; F. H. PAGE, Chief Clerk; E. P. ELMER, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Daniel Steele	Weld and Larimer	First.
Charles F. Holly	Boulder	Second.
E. S. Wilhite	Arapahoe	Third.
Edwin Scudder	Arapahoe and Douglas	Fourth.
William A. Rankin	Gilpin	Fifth.
Jerome B. Chaffee	Gilpin	Sixth.
James H. Noteware	Clear Creek	Seventh.
O. A. Whittemore*	Summit	Eighth.
Daniel Witter†	Park	Ninth.
George F. Crocker	Lake	Tenth.
Jose Victor Garcia	Conejos	Eleventh.
Jesus M. Barela	Costilla	Twelfth.
George M. Chilcott	Pueblo	Thirteenth.

*Seat unsuccessfully contested by C. P. Hall.
†Seat unsuccessfully contested by N. J. Bond.

Second Session of the Legislative Assembly convened at Colorado City on the 7th day of July, 1862; adjourned to Denver July 11th. Adjourned sine die August 15th, 1862

COUNCIL.

N. J. BOND, of Park, President; JOHN HOWARD, Secretary; MATT. RIDDLEBARGER, Asst.-Sec.; AMOS WIDNER, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
H. J. Graham	Weld and Larimer	First.
H. R. Hunt	Douglas, Arapahoe, Weld and Larimer	First.
Amos Steck	Arapahoe	Second.
Wm. A. H. Loveland	Jefferson, Gilpin, Clear Creek and Boulder	Second.
Charles W. Mather	Gilpin	Third.
N. J. Bond	Park, Summit and Lake	Third.
Henry F. Parker	Gilpin	Fourth.
J. B. Woodson	Fremont, El Paso, Huerfano, Conejos, Costilla, and Pueblo	Fourth.
A. U. Colby	Clear Creek	Fifth.
Henry Altman*	Summit	Sixth.
E. A. Arnold	Lake	Seventh.
Robert B. Willis	El Paso	Eighth.
J. M. Francisco	Huerfano and Pueblo	Ninth.

REPRESENTATIVES.

GEORGE F. CROCKER, of Lake, Speaker; WILLIAM TRAIN MUIR, Chief Clerk; E. P. ELMER, Assistant-Clerk; RICHARD SOPRIS, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Daniel Steele	Weld	First.
Joseph Kenyon	Larimer, Weld, Boulder, and Jefferson	First.
Charles F. Holly	Boulder	Second.
D. C. Oakes	Arapahoe and Douglas	Second.
E. S. Wilhite	Arapahoe and Douglas	Third.
C. G. Hanscome	Arapahoe and Douglas	Third.
Edwin Scudder	Arapahoe and Douglas	Fourth.
William M. Slaughter	Gilpin	Fourth.
William A. Rankin†	Gilpin	Fifth.
H. B. Hayes	Gilpin	Fifth.
Jerome B. Chaffee	Gilpin	Sixth.
J. W. Hamilton	Clear Creek	Sixth.
James H. Noteware	Clear Creek	Seventh.
Wilbur F. Stone	Park	Seventh.
O. A. Whittemore	Summit	Eighth.

*In place of Samuel M. Robbins resigned. *R. O. Bailey unsuccessfully contested his seat.

†Did not appear.

NAME	COUNTIES.	DISTRICT.
R. R. Harbour	Summit	Eighth.
Daniel Witter	Park	Ninth.
John Fosher	Lake	Ninth.
George F. Crocker	Lake	Tenth.
M. S. Beach	Pueblo and El Paso	Tenth.
Jose Victor Garcia	Conejos	Eleventh.
Jose Raphael Martine	Conejos	Eleventh.
Jesus M. Barela	Costilla	Twelfth.
Jose Francisco Gallejos	Costilla	Twelfth.
George M. Chilcott	Pueblo	Thirteenth.
D. Powell	Pueblo	Thirteenth.

Third Session of the Legislative Assembly convened at Golden on the 1st day of February, 1864; adjourned to Denver February 4th. Adjourned sine die March 11th, 1864.

COUNCIL.

CHARLES W. MATHER, of Gilpin, President; C. B. HAYNES, Secretary; W. T. REYNOLDS, Assistant-Secretary; E. C. PARMELEE, Engrossing Clerk; O. B. BROWN, Enrolling Clerk; C. A. BARTHOLOMEW, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Amos Widner	Boulder, Larimer and Weld.	First.
Moses Hallett	Arapahoe and Douglas	Second.
Richard E. Whitsitt	Arapahoe and Douglas	Second.
Charles W. Mather	Gilpin	Third.
A. J. Van Deren	Gilpin	Third.
E. A. Johnson	Gilpin	Third.
Wm. A. H. Loveland	Clear Creek and Jefferson	Fourth.
Lewis Jones	Park	Fifth.
R. O. Bailey	Summit	Sixth.
Robert Berry	Lake	Seventh.
J. B. Doyle	Pueblo, El Paso, Huerfano and Fremont	Eighth.
C. Dominguez	Conejos	Ninth.
H. E. Esterday	Costilla	Tenth.

REPRESENTATIVES.

JEROME B. CHAFFEE, of Gilpin, Speaker; BAXTER B. STILES, Chief Clerk; JOHN WALKER; Engrossing Clerk; C. C. CARPENTER, Enrolling Clerk; RICHARD SOPRIS, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
A. O. Patterson*	Weld and Larimer	First.
David A. Chever	Arapahoe and Douglas	Second.
J. A. Koontz	Araprhoe and Douglas	Second.
John A. Nye	Arapahoe and Douglas	Second.
J. H. Eames	Arapahoe and Douglas	Second.

*Did not appear.

NAME.	COUNTIES.	DISTRICT.
David Ripley	Boulder	Third.
James Kelley	Jefferson	Fourth.
Leon D. Judd	Boulder and Gilpin	Fifth.
Jerome B. Chaffee	Gilpin	Sixth.
John Kipp¶	Gilpin	Sixth.
Alvin Marsh	Gilpin	Sixth.
Samuel Mallory‖	Gilpin	Sixth.
E. F. Holland	Clear Creek	Seventh.
J. E. Leeper	Clear Creek	Seventh.
M. C. White	Summit	Eighth.
John T. Lynch	Summit	Eighth.
Henry Henson	Park	Ninth.
J. B. Stansell	Park	Ninth.
Joel Wood	Lake	Tenth.
J. McCannon	Lake	Tenth.
Pablo Ortega	Conejos	Eleventh.
Jose Victor Garcia	Conejos	Eleventh.
N. W. Welton	Costilla and Huerfano	Twelfth.
B. J. McComas§	Costilla and Huerfano	Twelfth.
L. D. Webster	Fremont	Thirteenth.
A. Z. Sheldon	Pueblo and El Paso	Fourteenth.

Fourth Session of the Legislative Assembly convened at Golden, January 2d, and adjourned February 10th, 1865.

COUNCIL.

J. WENTZ WILSON, of Gilpin, President; OZIAS MILLETT, Secretary; JAMES O. ALLEN, Assistant Secretary; W. B. FELTON, Enrolling Clerk; W. ADAMS, Engrossing Clerk; MARSHALL SILVERTHORN, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Amos Widner	Boulder, Larimer and Weld	First.
Moses Hallett	Arapahoe and Douglas	Second.
Richard E. Whitsitt*	Arapahoe and Douglas	Second.
J. Wentz Wilson	Gilpin	Third.
George R. Mitchell	Gilpin	Third.
E. K. Baxter	Gilpin	Third.
Wm. A. H. Loveland	Clear Creek and Jefferson	Fourth.
Lewis Jones†	Park	Fifth.
H. L. Pearson	Summit	Sixth.
Robert Berry	Lake	Seventh.
Robert B. Willis	Pueblo, El Paso, Huerfano and Fremont	Eighth.
C. Dominguez	Conejos	Ninth.
H. E. Esterday‡	Costilla	Tenth.

¶Resigned.
‖Did not appear.
§Did not appear.

*Absent during session.
†Absent during session.
‡Absent during session.

REPRESENTATIVES.

L. H. HARSH, of Gilpin, Speaker; C. H. GROVER, Chief Clerk; N. S. HURD, Engrossing Clerk; A. D. COOPER, Enrolling Clerk; HENRY GIBSON, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
	Weld and Larimer	First.
Hiram J. Brendlinger	Arapahoe and Douglas	Second.
Rufus Clark	Arapahoe and Douglas	Second.
Baxter B. Stiles	Arapahoe and Douglas	Second.
F. M. Case.*	Arapahoe and Douglas	Second.
D. H. Nichols	Boulder	Third.
A. O. Patterson	Jefferson	Fourth.
Thomas D. Worrall	Boulder and Gilpin	Fifth.
L. H. Harsh	Gilpin	Sixth.
Benjamin Lake	Gilpin	Sixth.
A. Mansur	Gilpin	Sixth.
C. M. Tyler	Gilpin	Sixth.
E. F. Holland	Clear Creek	Seventh.
B. F. Pine	Clear Creek	Seventh.
John T. Lynch	Summit	Eighth.
A. Hopkins	Summit	Eighth.
Wilbur F. Stone	Park	Ninth.
James Thompson	Park	Ninth.
C. North	Lake	Tenth.
J. G. Ehrhart	Lake	Tenth.
	Conejos	Eleventh.
	Conejos	Eleventh.
	Costilla and Huerfano	Twelfth.
	Costilla and Huerfano	Twelfth.
Mills M. Craig	Fremont	Thirteenth.
O. H. P. Baxter†	Pueblo and El Paso	Fourteenth.

Fifth Session of the Legislative Assembly convened at Golden, on the first day of January, 1866, adjourned to Denver, January 4th, and adjourned sine die Feb. 9th, 1866.

COUNCIL.

HENRY C. LEACH, of Arapahoe, President; CHARLES G. COX, Secretary; GEORGE H. STILWELL, Assistant Secretary; BENJAMIN P. THOMPSON, Engrossing Clerk; N. F. CHEESEMAN, Enrolling Clerk; MARSHALL SILVERTHORN, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Joseph M. Marshall	Boulder, Larimer and Weld	First.
Henry C. Leach	Arapahoe and Douglas	Second.
John Q. Charles	Arapahoe and Douglas	Second.
George R. Mitchell	Gilpin	Third.
Ebenezer Smith	Gilpin	Third.
Benjamin Woodbury	Gilpin	Third.

*Did not take his seat.

†Did not take his seat until 1st February.

Wm. A. H. Loveland.	Clear Creek and Jefferson....	Fourth.
Robert Douglas.....	Park.....	Fifth.
George W. Mann.....	Summit.....	Sixth.
H. H. DeMary.....	Lake.....	Seventh.
O. H. P. Baxter....	Pueblo, El Paso, Huerfano and Fremont.....	Eighth.
Jesus Maria Velasquez.	Conejos.....	Ninth.
George A. Hinsdale...	Costilla.....	Tenth.

REPRESENTATIVES.

E. Norris Stearns, of Park, Speaker; C. J. McDivitt, Chief Clerk; A. D. Cooper, Enrolling Clerk; A. Hopkins, Engrossing Clerk; Charles Bartholomew, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICTS.
B. F. Johnson.....	Weld and Larimer	First.
David Gregory.....	Arapahoe and Douglas	Second.
Louis F. Bartels.....	Arapahoe and Douglas	Second.
James F. Gardner	Arapahoe and Douglas	Second.
H. J. Graham.....	Arapahoe and Douglas	Second.
S. M. Breath.....	Boulder	Third.
T. C. Bergen.....	Jefferson	Fourth,
Perley Dodge	Boulder and Gilpin	Fifth.
Frank Hall	Gilpin	Sixth.
Columbus Nuckolls*...	Gilpin	Sixth.
C. M. Grimes†.....	Gilpin	Sixth.
J. W. Watson‡.....	Gilpin	Sixth,
David J. Ball	Clear Creek	Seventh.
B. R. Colvin	Clear Creek	Seventh.
John Fosher	Summit.....	Eighth.
A. D. Bevan§.....	Summit.....	Eighth.
E. Norris Stearns.....	Park	Ninth.
George W. Norris.....	Park	Ninth.
Thomas Keys	Lake	Tenth.
J. G. Ehrhart.....	Lake	Tenth.
Jose Gabriel Martine ..	Conejos and Costilla	Eleventh.
M. Mandrigan	Conejos and Costilla	Eleventh.
Jesus Maria Barela	Conejos and Costilla	Eleventh.
Matt. Riddlebarger	Huerfano	Twelfth,
William Lock.....	Fremont.....	Thirteenth.
John W. Henry	Pueblo and El Paso.....	Fourteenth.

*In place of A. Mansur.
†In place of Ira Austin.
‡Did not take his seat.
§Did not take his seat.

Sixth Session of the Legislative Assembly, convened at Golden December 3d, 1866, and adjourned January 11th, 1867

COUNCIL.

ROBERT DOUGLAS, of Park, President; ROBERT BERRY, Secretary; J. A. MILLER, Assistant-Secretary; N. F. CHEESEMAN, Enrolling Clerk; WILLIAM B. RINES, Engrossing Clerk; B. R. WALL, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Joseph M. Marshall....	Boulder, Larimer and Weld.	First.
John Q. Charles.....	Arapahoe and Douglas	Second.
Henry C. Leach.....	Arapahoe and Douglas	Second.
George R. Mitchell....	Gilpin	Third.
Benjamin Woodbury...	Gilpin	Third.
Ebenezer Smith	Gilpin	Third.
Wm. A. H. Loveland..	Clear Creek and Jefferson ..	Fourth.
Robert Douglas	Park	Fifth.
George W. Mann.....	Summit.....	Sixth.
H. H. DeMary	Lake	Seventh.
O. H. P. Baxter	Pueblo, El Paso, Huerfano and Fremont.....	Eighth.
Jesus Maria Velasquez .	Conejos	Ninth.
George A. Hinsdale....	Costilla	Tenth.

REPRESENTATIVES.

E. L. BERTHOUD, of Jefferson, Speaker; C. J. MCDIVITT, Chief Clerk; W. J. KRAM, Assistant-Clerk; — ROOT, Engrossing Clerk; — GREY, Enrolling Clerk; E. H. BROWN, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Peter Winne.....	Weld and Larimer	First.
C. H. McLaughlin.....	Arapahoe and Douglas	Second.
Edwin Scudder.....	Arapahoe and Douglas	Second.
J. E. Force.....	Arapahoe and Douglas	Second.
C. J. Goss.....	Arapahoe and Douglas	Second.
James S. Doggett.....	Boulder.....	Third.
E. L. Berthoud.....	Jefferson.....	Fourth.
J. E. Parkman.....	Boulder and Gilpin	Fifth.
Columbus Nuckolls....	Gilpin	Sixth.
E. T. Wells.....	Gilpin	Sixth.
J. Y. Glendinen.....	Gilpin	Sixth.
C. M. Grimes.....	Gilpin	Sixth.
Charles B. Patterson ...	Clear Creek	Seventh.
R. W. Davis*	Clear Creek	Seventh.
Ziba Surles.....	Summit.....	Eighth.
W. W. Webster.....	Summit.....	Eighth.
Charles L. Hall	Park	Ninth.
F. C. Morse	Park	Ninth.
Julius C. Hughes	Lake	Tenth.

*Seat unsuccessfully contested by D. J. Ball.

NAME.	COUNTIES.	DISTRICT.
Jacob E. Ehrhart	Lake	Tenth.
Juan B. Lobato	Conejos and Costilla	Eleventh.
S. Valdez	Conejos and Costilla	Eleventh.
Juan Miguel Vijil	Conejos and Costilla	Eleventh.
Matt. Riddlebarger†	Huerfano	Twelfth.
M. Mills Craig	Fremont	Thirteenth.
W. H. Young	Pueblo and El Paso	Fourteenth.

Seventh Session of the Legislative Assembly, convened at Golden, December 2nd, 1867; adjourned to Denver December 9th. Adjourned sine die January 10th, 1868.

COUNCIL.

WILLIAM W. WEBSTER, of Summit, President; ED. C. PARMELEE, Secretary; W. J. KRAM, Assistant-Secretary; E. R. HARRIS, Engrossing Clerk; A. HOPKINS, Enrolling Clerk; ZIBA SURLES, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
James H. Pinkerton	Boulder, Larimer and Weld.	First.
Amos Steck	Arapahoe and Douglas	Second.
Charles A. Cook	Arapahoe and Douglas	Second.
Hugh Butler	Gilpin	Third.
David D. Belden	Gilpin	Third.
J. Wellington Nesmith	Gilpin	Third.
Wm. A. H. Loveland	Clear Creek and Jefferson	Fourth.
E. Norris Stearns	Park	Fifth.
William W. Webster	Summit	Sixth.
Julius C. Hughes	Lake	Seventh.
B. B. Field*	Pueblo, El Paso, Huerfano and Fremont	Eighth.
Jesus Maria Velasquez	Conejos	Ninth.
Francisco Sanchez	Costilla	Tenth.

REPRESENTATIVES.

C. H. MCLAUGHLIN, of Arapahoe, Speaker; C. J. MCDIVITT, Chief Clerk; M. L. HORR, Assistant-Clerk; JOSEPH SHARRATT, Engrossing Clerk; A. CREE, Enrolling Clerk; CHARLES F. LEIMER, Assistant Enrolling Clerk; —— WELLS, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
H. Stratton	Weld and Larimer	First.
C. H. McLaughlin	Arapahoe and Douglas	Second.
Baxter B. Stiles	Arapahoe and Douglas	Second.
J. E. Wurtzebach	Arapahoe and Douglas	Second.
G. W. Miller	Arapahoe and Douglas	Second.
H. L. Pearson	Boulder	Third.
F. O. Sawin	Jefferson	Fourth.

†Seat unsuccessfully contested by John B. Rice.
*Seat successfully contested by George A. Hinsdale.

NAME.	COUNTIES.	DISTRICT.
T. Haswell	Boulder and Gilpin	Fifth.
D. M. Richards	Gilpin	Sixth.
S. F. Huddleston	Gilpin	Sixth.
C. R. Bissell	Gilpin	Sixth.
W. M. Slaughter	Gilpin	Sixth.
J. C. McCoy	Clear Creek	Seventh.
J. E. Wharton	Clear Creek	Seventh.
Stephen Decatur	Summit	Eighth.
J. A. Pierce	Summit	Eighth.
Ansel Bates	Park	Ninth.
W. J. McDougal	Park	Ninth.
J. Gilliland	Lake	Tenth.
B. Fowler	Lake	Tenth.
J. Lawrence	Conejos and Costilla	Eleventh.
Pablo Ortega	Conejos and Costilla	Eleventh.
Silverio Suaso	Conejos and Costilla	Eleventh.
Thomas Suaso*	Huerfano	Twelfth.
Thomas Macon	Fremont	Thirteenth.
E. T. Stone	Pueblo and El Paso	Fourteenth.

Eighth Session of the Legislative Assembly convened at Denver, January 3d, and adjourned February 11th, 1870.

COUNCIL.

GEORGE A. HINSDALE, President; A. O, PATTERSON, Secretary; George T. Clark, Assistant Secretary; J. E. CORB, Engrossing Clerk; HENRY BELL, Enrolling Clerk; E. T. STONE, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Jesse M. Sherwood†	Boulder, Larimer and Weld	First.
Amos Steck	Arapahoe and Douglas	Second.
Charles A. Cook	Arapahoe and Douglas	Second.
Hugh Butler	Gilpin	Third.
Silas B. Hahn‡	Gilpin	Third.
J. Wellington Nesmith	Gilpin	Third.
Wm. A. H. Loveland	Clear Creek and Jefferson	Fourth.
E. Norris Stearns	Park	Fifth.
William W. Webster	Summit	Sixth.
Julius C. Hughes	Lake	Seventh.
George A. Hinsdale	Pueblo, El Paso, Huerfano and Fremont	Eighth.
Jesus Maria Velasquez	Conejos	Ninth.
Francisco Sanchez	Costilla	Tenth.

*Seat unsuccessfully contested by Michael Beshoar.
†Vice James H Pinkerton, resigned.
‡Vice D. D. Belden, resigned.
‡Seat successfully contested by William M. Roworth.

REPRESENTATIVES.

GEORGE W. MILLER, Speaker; Wm. M. SLAUGHTER, Chief Clerk; A. M. BARNARD, Assistant Clerk; THOMAS A. MCCRYSTAL, Engrossing Clerk; JOHN D. MCINTYRE, Enrolling Clerk; W. W. REMINE, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Matthew S. Taylor	Weld and Larimer	First.
George W. Miller	Arapahoe and Douglas	Second.
Samuel H. Elbert	Arapahoe and Douglas	Second.
H. B. Bearce	Arapahoe and Douglas	Second.
C. C. Gird	Arapahoe and Douglas	Second.
John H. Wells	Boulder	Third.
Allison H. De France	Jefferson	Fourth.
Thomas J. Graham	Boulder and Gilpin	Fifth.
Thomas J. Campbell	Gilpin	Sixth.
H. E. Lyon	Gilpin	Sixth.
A. E. Lea	Gilpin	Sixth.
John F. Topping	Gilpin	Sixth.
John T. Lynch	Clear Creek	Seventh.
D. B. Myers	Clear Creek	Seventh.
George W. Mann	Summit	Eighth.
A. D. Bevan	Summit	Eighth.
C. M. Mullen	Park	Ninth.
J. G. Randall	Park	Ninth.
D. L. Vandiver	Lake	Tenth.
J. C. Hall	Lake	Tenth.
Manuel Lucero	Conejos, Costilla and Saguache	Eleventh.
Clement Trujillo	Conejos, Costilla and Saguache	
William H. Meyer	Conejos, Costilla and Saguache	
Filipe Baca	Huerfano and Las Animas	Twelfth.
William Sheppard	Fremont	Thirteenth.
J. B. Rice	Pueblo and El Paso	Fourteenth.

Ninth Session of the Legislative Assembly, convened at Denver January 1st, and adjourned February 9th, 1872.

COUNCIL.

GEORGE M. CHILCOTT, of Pueblo. President; ELWARD L. SALISBURY, Secretary; CHASE WITHROW, Assistant Secretary; E. H. STARRETTE, Engrossing Clerk; S. N. SANDERS, Enrolling Clerk; ROBERT N. DANIELS, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Joseph E. Bates	Arapahoe	First.
Francis Gallup	Arapahoe	First.
William C. Stover	Weld and Larimer	Second.
Allison H. De France	Jefferson and Boulder	Third.
Nathaniel P. Hill	Gilpin	Fourth.
Benjamin W. Wisebart	Gilpin	Fourth.

NAME.	COUNTIES.	DISTRICT.
Edward C. Parmelee..	Clear Creek and Summit.....	Fifth.
Madison W. Stewart..	Greenwood, Bent and Douglas	Sixth.
George M. Chilcott....	Pueblo and El Paso.....	Seventh.
J. Marshall Paul.....	Park, Lake, Saguache and Fremont.....	Eighth.
Jesus Maria Garcia...	Las Animas.....	Ninth.
Silverio Suaso.....	Huerfano	Tenth.
Jose Victor Garcia...	Conejos and Costilla.....	Eleventh.

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REPRESENTATIVES.

ALVIN MARSH, of Gilpin, Speaker; JAMES G. COOPER, Chief Clerk; Joseph T. Boyd, Assistant Clerk; ROLLIN MORROW, Engrossing Clerk; C. W. BALDWIN, Enrolling Clerk; URIAH M. CURTIS, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Frederick Steinhauer..	Arapahoe	First.
Isaac H. Batchellor...	Arapahoe	First.
Clarence P. Elder....	Arapahoe	First.
John G. Lilley.....	Arapahoe	First.
J. W. Bacon.....	Weld and Larimer.....	Second.
B. H. Eaton.....	Weld and Larimer.....	Second.
John D. Patrick.....	Jefferson.....	Third.
James P. Maxwell....	Boulder.....	Fourth.
Charles C. Welch....	Jefferson and Boulder.....	Fifth.
Alvin Marsh.....	Gilpin.....	Sixth.
George E. Randolph..	Gilpin.....	Sixth.
John F. Topping.....	Gilpin.....	Sixth.
W. W. Webster	Clear Creek and Summit.....	Seventh.
James F. Gardner....	Douglas.....	Eighth
Thomas O. Boggs*...	Bent and Greenwood.....	Ninth.
J. M. Givens.....	Pueblo and El Paso.....	Tenth.
B. F. Crowell.....	Pueblo and El Paso.....	Tenth.
A. D. Cooper.....	Fremont, Lake, Park, and Saguache.....	Eleventh.
John G. Randall.....	Fremont, Lake, Park, and Saguache.....	Eleventh.
Casimiro Barela.....	Las Animas.....	Twelfth.
Lorenzo A. Abeyta†..	Las Animas.....	Twelfth.
Mariano Larragoite...	Las Animas.....	Twelfth.
John A. Manzanares..	Huerfano	Thirteenth.
Pedro Raphael Trujillo	Costilla	Fourteenth.
Jose A. Velasquez....	Conejos.....	Fifteenth.
Francisco Sanchez....	Conejos and Costilla.....	Sixteenth.

* Absent during session.
† A. W. Archibald successfully contested his seat

Tenth Session of the Legislative Assembly convened at Denver on the 5th day of January, and adjourned February 13th, 1874.

COUNCIL.

MADISON W. STEWART, of Bent, President; FOSTER NICHOLS, Secretary; D. C. LIONBERGER, Assistant-Secretary; GEORGE H. F. WORK, Enrolling Clerk; GEORGE R. WARD, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
H. P. H. Bromwell	Arapahoe	First.
R. G. Buckingham	Arapahoe	First.
Thomas Sprague	Weld and Larimer	Second.
John B. Fitzpatrick	Jefferson and Boulder	Third.
Hugh Butler	Gilpin	Fourth.
H. C. McCammon	Gilpin	Fourth.
William M. Clark	Clear Creek and Summit	Fifth.
Madison W. Stewart	Greenwood, Bent, and Douglas	Sixth.
George M. Chilcott	Pueblo and El Paso	Seventh.
Jairus W. Hall	Park, Lake, Saguache and Fremont	Eighth.
Daniel L. Taylor	Las Animas	Ninth.
Juan B. Jaquez	Huerfano	Tenth.
Lafayette Head	Costilla and Conejos	Eleventh.

REPRESENTATIVES.

DAVID H. NICHOLS, of Boulder, Speaker; JOSEPH T. BOYD, Chief Clerk; E. P. DRAKE, Assistant-Clerk; J. A. KOONTZ, Engrossing Clerk; O. H. HENRY, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Frederick Steinhauer	Arapahoe	First.
Alfred Butters	Arapahoe	First.
R. S. Little	Arapahoe	First.
J. H. K. Uhlhorn	Arapahoe	First.
Joseph C. Shattuck	Weld and Larimer	Second.
John McCutcheon	Weld and Larimer	Second.
Levi Harsh	Jefferson	Third.
James P. Maxwell	Boulder	Fourth.
David H. Nichols	Jefferson and Boulder	Fifth.
Henry Paul	Gilpin	Sixth.
Bela S. Buell	Gilpin	Sixth.
William J. Buffington	Gilpin	Sixth.
Benjamin F. Napheys	Clear Creek and Summit	Seventh.
Charles W. Perry	Douglas	Eighth.
John W. Prowers	Bent and Greenwood	Ninth.
Joseph C. Wilson	Pueblo and El Paso	Tenth.
William Moore	Pueblo and El Paso	Tenth.
Joseph Hutchinson	Fremont, Park, Lake, and Saguache	Eleventh.
William A. Amsbary	Fremont, Park, Lake, and Saguache	Eleventh.

NAME.	COUNTIES.	DISTRICT.
Mariano Larragoite	Las Animas	Twelfth.
Casimiro Barela	Las Animas	Twelfth.
Alexander H. Taylor	Las Animas	Twelfth.
J. A. J. Valdez	Huerfano	Thirteenth.
William H. Meyer	Costilla	Fourteenth.
Manuel S. Salazar	Conejos	Fifteenth.
Juan Esquibel	Costilla and Conejos	Sixteenth.

Eleventh Session of the Legislative Assembly, convened at Denver on the 3d day of January, and adjourned February 11th, 1876.

COUNCIL.

ADAIR WILSON, of Rio Grande, President; JAMES T. SMITH, Secretary; FRANK FOSSETT, Assistant-Secretary; JAMES D. HENRY, Engrossing Clerk; WILLIAM BORCHERT, Enrolling Clerk; J. A. J. BIGLER, Sergeant-at-Arms.

NAME	COUNTIES.	DISTRICT.
Bela M. Hughes	Arapahoe	First.
Baxter B. Stiles	Arapahoe	First.
B. H. Eaton	Weld and Larimer	Second.
John C. Hummel	Boulder and Jefferson	Third.
Silas B. Hahn	Gilpin	Fourth.
E. L. Salisbury	Gilpin	Fourth.
Robert S. Morrison	Clear Creek, Summit and Grand	Fifth.
Andrew D. Wilson	Douglas, Bent, and Elbert	Sixth.
James Rice	Pueblo and El Paso	Seventh.
James Clelland	Fremont, Park, Lake, and Saguache	Eighth.
P. A. McBride	Las Animas	Ninth.
Silverio Suaso	Huerfano	Tenth.
Adair Wilson	Costilla, Conejos, Rio Grande, Hinsdale, and La Plata	Eleventh.

REPRESENTATIVES.

ALFRED BUTTERS, of Arapahoe, Speaker; JOSEPH T. BOYD, Chief Clerk; C. L. PEYTON, Assistant-Clerk; JAMES W. GALLOWAY, Engrossing Clerk; W. B. DICKINSON, Enrolling Clerk; JAMES D. WOOD, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Alfred Butters	Arapahoe	First.
Edmund L. Smith	Arapahoe	First.
Edward Pisko	Arapahoe	First.
W. B. Mills	Arapahoe	First.
Norman H. Meldrum	Weld and Larimer	Second.
J. C. McCowan*	Weld and Larimer	Second.

*Absent during the whole session.

NAME.	COUNTIES.	DISTRICT.
M. N. Everett	Jefferson	Third.
David C. Patterson	Boulder	Fourth.
George Rand	Jefferson and Boulder	Fifth.
John C. McShane	Gilpin	Sixth.
Frederick Kruse	Gilpin	Sixth.
William Larned	Gilpin	Sixth.
John H. Yonley	Clear Creek, Summit, and Grand	Seventh.
J. M. Nimerick	Douglas and Elbert	Eighth.
Frank Bingham	Bent	Ninth.
Albinus Z. Sheldon	Pueblo and El Paso	Tenth.
H. O. Rettberg	Pueblo and El Paso	Tenth.
James Y. Marshall	Fremont, Park, Lake and Saguache	Eleventh.
I. N. Peyton	Fremont, Park, Lake and Saguache	Eleventh.
Donaciano Gurule	Las Animas	Twelfth.
Nicanora D. Jarramilla	Las Animas	Twelfth.
Mauricio Apadaca	Las Animas	Twelfth.
Herman Duhme Jr.	Huerfano	Thirteenth.
Francisco Sanchez	Costilla	Fourteenth.
T. M. Trippe	Conejos, Hinsdale, Rio Grande and La Plata	Fifteenth.
Reuben J. McNutt	Conejos, Costilla, Hinsdale, Rio Grande and La Plata	Sixteenth.

This Constitutional Convention assembled at Denver on the 8th of August, 1865, and adjourned August 12th, having framed a Constitution which was submitted to a vote of the people on the first Tuesday of September, 1865, and the same was adopted by a majority of one hundred and fifty-five votes. The Convention was composed of the following named gentlemen:

W. A. H. LOVELAND, President; WEBSTER D. ANTHONY, of Arapahoe, Secretary.

NAME.	COUNTIES.	NAME.	COUNTIES.
Samuel E. Browne	Arapahoe	W. E. Sisty	Clear Creek
John Q. Charles	Arapahoe	J. T Herrick	Clear Creek
J. Bright Smith	Arapahoe	Robert White	Clear Creek
James M. Cavanaugh	Arapahoe	Charles B. Patterson	Clear Creek
Richard Sopris	Arapahoe	John Locke	Clear Creek
Joseph M. Brown	Arapahoe	D. P. Wilson	Fremont
George T. Clark	Arapahoe	Edward S. Perrin	Gilpin
John A. Koontz	Arapahoe	Wm. E. Darby	Gilpin
D. H. Goodwin	Arapahoe	B. C. Waterman	Gilpin
A. C. Hunt	Arapahoe	Rodney French	Gilpin
Charles A. Cook	Arapahoe	A. J. Van Deren	Gilpin
G. W. Miller	Arapahoe	H. F. Powell	Gilpin
David H. Nichols	Boulder	F. H. Judd	Gilpin
P. M. Hinman	Boulder	Charles W. Mather	Gilpin
D. Pound	Boul., Weld & Larim'r	B. F. Lake	Gilpin
A. Lumry	Boul., W'd & Larm'r	George E. Randolph	Gilpin

NAME.	COUNTIES.	NAME.	COUNTIES.
William S. Rockwell	Gilpin	Alexander Hatch	Park
O. J. Hollister	Gilpin	Alfred DuBois	Park
William R. Gorsline	Gilpin	Henry Henson	Park
Truman Whitcomb	Gilpin	J. D. Parmelee	Park
G. B. Backus	Gilpin	George W. Lechner	Park
W. A. H. Loveland	Jefferson	H. B. Haskell	Summit
T. C. Bergen	Jefferson	John T. Lynch	Summit
T. P. Boyd	Jefferson	G. W. Coffin	Weld & Larimer
H. H. DeMary	Lake	J. E. Washburn	Weld & Larimer
N. F. Cheeseman	Lake	F. Merrill	1st Reg. Col. Cav.
Charles Nachtrieb	Lake	J. L. Pritchard	2d Reg. Col. Cav.
Harrison Anderson	Lake	G. W. Hawkins	1st Reg. Col. Cav.
John McCannon	Lake	C. C. Hawley	1st Reg. Col. Cav.
Thomas Keys	Lake	B. F. Pine	
W. J. Curtice	Park	W. G. Reid	

This State Legislature convened at Golden, December 12th, 1865, adjourned to Denver, December 16th, adjourned sine die, December 19, 1865.

SENATE.

GEORGE A. HINSDALE, Lt. Governor, President; JOHN WALKER, Secretary; EDWIN H. BROWN, Assistant Secretary; H. B. HASKELL, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
Leander M. Black	Boulder, Larimer and Weld	First.
Charles A. Cook	Arapahoe and Douglas	Second.
L. B. McLain	Arapahoe and Douglas	Second.
Truman Whitcomb	Gilpin	Third.
L. L. Bedell	Gilpin	Third.
A. G. Langford	Gilpin	Third.
W. A. H. Loveland	Clear Creek and Jefferson	Fourth.
James Castello	Park	Fifth.
Adam B. Cooper	Summit	Sixth.
H. H. DeMary	Lake	Seventh.
John W. Henry	Pueblo, El Paso, Huerfano and Fremont	Eighth.
Jesus M. Velasquez	Conejos	Ninth.
J. L. Gasper	Costilla	Tenth.

REPRESENTATIVES.

D. P. WILSON, of Fremont, Speaker; L. H. SHEPHERD, Chief Clerk; C. J. MCDIVITT, Assistant Clerk; CHARLES BARTHOLOMEW, Sergeant-at-Arms.

NAME.	COUNTIES.	DISTRICT.
A. Lumry	Weld and Larimer	First.
Robert L. Hatten	Arapahoe and Douglas	Second.
G. H. Greenslit	Arapahoe and Douglas	Second.

NAME.	COUNTIES.	DISTRICT.
William Garrison	Arapahoe and Douglas	Second.
D. G. Peabody	Arapahoe and Douglas	Second.
A. Wright	Boulder	Third.
T. C. Bergen*	Jefferson	Fourth.
David H. Nichols	Boulder and Gilpin	Fifth.
Isaac Whicher	Gilpin	Sixth.
Jason E. Scobey	Gilpin	Sixth.
Stephen Goodall	Gilpin	Sixth.
Lyman W. Chase	Gilpin	Sixth.
Charles B. Patterson	Clear Creek	Seventh.
B. R. Colvin	Clear Creek	Seventh.
James A. Pierce	Summit	Eighth.
Aaron Hopkins	Summit	Eighth.
George W. Lechner	Park	Ninth.
Charles L. Hall	Park	Ninth.
Thomas Keys	Lake	Tenth.
T. C. Hughes	Lake	Tenth.
Pedro Arragon	Conejos	Eleventh.
Jose Gabriel Martine	Conejos	Eleventh.
Pedro Lobato	Costilla and Huerfano	Twelfth.
Matt. Riddlebarger	Costilla and Huerfano	Twelfth.
D. P. Wilson	Fremont	Thirteenth.
George A. Bute	Pueblo and El Paso	Fourteenth.

CONSTITUTIONAL CONVENTION.

The Constitutional Convention assembled at Denver on the 20th day of December, 1875, and adjourned March 15th, 1876, having framed a constitution, which was submitted to a vote of the people on the first day of July following, and the same was adopted by a majority of 11,404 votes. The Convention was composed of the following named gentlemen:

JOSEPH C. WILSON, of El Paso, President; W. W. COULSON, Secretary; HERBERT STANLEY and H. A. TERPENING, Assistant Secretaries; FRED J. STANTON, Engrossing and Enrolling Clerk; A. H. BARKER, Sergeant-at-Arms.

DIS.	NAME.	COUNTY.	POST OFFICE.
1	Sylvester J. Plumb	Weld	Erie.
1	John S. Wheeler	Weld	Fort Lupton.
2	Abram K. Yount	Weld and Larimer	Fort Collins.
3	William C. Stover	Larimer	Fort Collins.
4	William E. Beck	Boulder	Boulder.
4	Byron L. Carr	Boulder	Longmont.
5	Alvin Marsh	Gilpin	Black Hawk.
5	Lewis C. Rockwell	Gilpin	Central.
6	William M. Clark	Clear Creek	Georgetown.
6	William H. Cushman	Clear Creek	Georgetown.
7	William W. Webster	Clear Creek, Summit and Grand	Montezuma.
8	George G. White	Jefferson	Golden.

*Seat contested by Simon Cort.

DIS.	NAME.	COUNTY.	POST OFFICE.
8	William Lee	Jefferson	Denver.
9	Ebenezer T. Wells	Arapahoe	Denver.
9	Henry P. H. Bromwell	Arapahoe	Denver.
9	Lewis C. Ellsworth	Arapahoe	Denver.
9	Clarence P. Elder	Arapahoe	Denver.
9	Frederick J. Ebert	Arapahoe	Denver.
9	Daniel Hurd	Arapahoe	Denver.
10	Philip P. Wilcox	Arapahoe and Douglas	Castle Rock.
11	J. W. Widderfield	Bent	West Las Animas.
12	John S. Hough	Bent and Elbert	West Las Animas.
13	Joseph C. Wilson	El Paso	Col. Springs.
13	Robert Douglas	El Paso	Colorado City
14	William H. James	Park and Lake	Oro City.
14	George E. Pease	Park and Lake	Fairplay.
15	Willard B. Felton	Saguache	Saguache.
16	Adam D. Cooper	Fremont	Canon City.
17	Henry C. Thatcher	Pueblo	Pueblo.
17	Wilbur F. Stone	Pueblo	Pueblo.
18	Jesus M. Garcia	Las Animas	Trinidad.
18	Casimiro Barela	Las Animas	Barela.
18	George Boyles	Las Animas	Trinidad.
19	Agapito Vigil	Las Animas and Huerfano	Trinidad.
20	Robert A. Quillian	Huerfano	Walsenburg.
21	William H. Meyer	Costilla	San Luis.
22	Lafayette Head	Conejos	Conejos.
23	William R. Kennedy	Rio Grande and Hinsdale	Lake City.
24	Henry R. Crosby	La Plata	Silverton.

The first session of the State Legislature convened at Denver Wednesday November 1st, 1876, and adjourned sine die March 20th, 1877.

SENATE.

LAFAYETTE HEAD Lt. Governor, President; GEORGE T. CLARK, Secretary; L. F. YATES, Enrolling Clerk; HERMAN F. LAUTER, Engrossing Clerk; E. C. KAVANAUGH, Door Keeper; HARRIS STRATTON, Sergeant-at-Arms.

DIS.	NAME.	COUNTY.	POST-OFFICE.
1	Silas B. A. Haynes	Weld	Greeley.
2	Norman H. Meldrum	Larimer	La Porte.
3	James P. Maxwell	Boulder	Boulder.
3	Theodore O. Saunders	Boulder	Sunshine.
4	Lewis C. Rockwell	Gilpin	Central City.
5	William W. Webster	Gilpin, Summit and Grand	Montezuma.
6	Albert Johnson	Clear Creek	Georgetown.
6	William A. Hamill	Clear Creek	Georgetown.
7	Allison H. De France*	Jefferson	Golden.
8	Joseph E. Bates	Arapahoe	Denver.

*Seat unsuccessfully contested by Joseph T. Boyd.

DIS.	NAME.	COUNTY.	POST OFFICE.
8	Lewis C. Ellsworth	Arapahoe	Denver.
8	Alfred Butters	Arapahoe	Denver.
8	Hiram P. Bennet	Arapahoe	Denver.
9	Eugene Gaussoin	Elbert and Bent	Higbee.
10	Edwin S. Randall	El Paso	Col. Springs.
11	James F. Gardner	Douglas	Frankstown.
12	James Moynahan	Park	Alma.
13	Jason B. Hall	Lake and Saguache	Villa Grove.
14	James Clelland	Fremont	Canon City.
15	John W. Hill	Pueblo	Pueblo.
16	William B. Hamilton	Huerfano	La Veta.
17	Casimiro Barela	Las Animas	Barela.
17	Daniel L. Taylor	Las Animas	Trinidad.
18	William H. Meyer	Costilla	San Luis.
19	Juan F. Chacon	Conejos	Conejos.
20	Henry Henson	Rio Grande, Hinsdale, La Plata, and San Juan	Wagon Wheel Gap.

REPRESENTATIVES.

WEBSTER D. ANTHONY, of Arapahoe, Speaker; WILLARD B. FELTON, Chief Clerk; MILTON R. MOORE, Assistant-Clerk; CHARLES P. NICHOLSON, Engrossing Clerk; MARY P. MCCARTY, Enrolling Clerk; JAMES D. WOOD, Sergeant-at-Arms.

NAME.	COUNTIES.	POST OFFICE.
Webster D. Anthony	Arapahoe	Denver.
George C. Griffin	Arapahoe	Island Station.
John C. Mayer	Arapahoe	Denver.
John McBroom	Arapahoe	Littleton.
A. C. Phelps	Arapahoe	Denver.
W. H. Pierce	Arapahoe	Denver.
Adolph Schinner	Arapahoe	Denver.
Robert M. McMurray	Bent	Las Animas.
Isaac Canfield	Boulder	Magnolia.
Daniel Ransom	Boulder	Longmont.
Azor A. Smith	Boulder	Nederland.
George X. Young	Boulder	Erie.
Militon Alberts	Costilla	San Luis.
D. Archuleta	Conejos	Conejos.
A. Vijil	Conejos	Conejos.
P. E. Morehouse	Clear Creek	Georgetown.
George A. Patten	Clear Creek	Idaho.
Theodore F. Simmons	Clear Creek	Georgetown.
T. Jeff. Watts	Clear Creek	Silver Plume.
George A. Lord	Douglas	Pine Grove.
A. D. Wilson	Elbert	Godfrey Station.
J. C. Helm	El Paso	Colorado Springs.
Charles W. Kittredge	El Paso	Florissant.
Richard Irwin	Fremont	Rosita.
Charles R. Seiber	Fremont	Colfax.

NAME.	COUNTIES.	POST-OFFICE.
H. Jacob Kruse	Gilpin	Central City.
Henry W. Lake	Gilpin	Black Hawk.
Austin C. Marshman	Gilpin	Central City.
John H. Stokes	Grand	Hot Sulphur Sp'gs.
T. C. Chaves	Huerfano	Gardner.
J. R. Esquibel	Huerfano	Walsenburg.
William H. Green	Hinsdale	Lake City.
Martin V. Luther	Jefferson	Morrison.
George Rand	Jefferson	Golden.
N. C. Alford	Larimer	Livermore.
W. J. McDermith	Lake	Oro City.
Urbano Chacon	Las Animas	Trinidad.
Mariano Larragoite	Las Animas	Apishapa.
David F. Wilkins	Las Animas	Trinidad.
John Moss*	La Plata	Parrott City.
Ziba Surles	Park	Grant.
John N. Carlile	Pueblo	Pueblo.
Garrett Lankford	Pueblo	Booneville.
Alva Adams	Rio Grande	Del Norte.
Isaac Gotthelf	Saguache	Saguache.
Charles H. McIntyre	San Juan	Animas Forks.
George W. Wilson	Summit	Breckinridge.
Abner Leonard	Weld	Evans.
David F. Rainey	Weld	Platteville.

LENGTH OF SESSIONS AND NUMBER OF MEMBERS—TERRITORIAL ORGANIZATION.

Year.	Time of Meeting.	Adjournment.	Length of Session.	No. Mems.
1861.	September 9th	November 7th	60 days	22
1862.	July 7th	August 15th	40 days	39
1864.	February 1st	March 11th	40 days	39
1865.	January 2d	February 10th	40 days	39
1866.	January 1st	February 9th,	40 days	39
1866.	December 3d	January 11th, 1867	40 days	39
1867.	December 2d	January 10th, 1868	40 days	39
1870.	January 3d,	February 11th	40 days	39
1872.	January 1st	February 9th	40 days	39
1874.	January 5th	February 13th	40 days	39
1876.	January 3d	February 11th	40 days	39

CONSTITUTIONAL CONVENTIONS.

1865.	Aug. 8	Aug. 12	5 days	62
1875.	Dec. 20	Mar. 15, 1876	87 days	39

STATE ORGANIZATION.

1865.	Dec. 12	Dec. 19	8 days	39
1876.	Nov. 1	Mar. 20, 1877	140 days	75

*Absent during session.

TERRITORIAL AND STATE OFFICERS.

TERRITORIAL OFFICERS OF COLORADO.

GOVERNORS.

William Gilpin, appointed by Abraham Lincoln.....July 8, 1861
John Evans, appointed by Abraham Lincoln.....April 19, 1862
Alexander Cummings, appointed by Andrew Johnson...Oct. 17, 1865
A. C. Hunt, appointed by Andrew Johnson.....May 27, 1867
Edward M. McCook, appointed by U. S. Grant.....June 15, 1869
Samuel H. Elbert, appointed by U. S. Grant.....March 9, 1873
Edward M. McCook, reappointed by U. S. Grant.....August—1874
John L. Routt, appointed by U. S. Grant.....March 29, 1875

SECRETARIES.

Lewis Ledyard Weld, appointed by Abraham Lincoln....July 8 1861
Samuel H. Elbert, appointed by Abraham Lincoln....April 19, 1862
Frank Hall, appointed by Andrew Johnson .....May 2, 1866
Frank Hall, appointed by U. S. Grant .....June 15, 1869
Frank Hall, reappointed by U. S. Grant.....June 18, 1873
John W. Jenkins, appointed by U. S. Grant .....February 12, 1874
John Taffe, appointed by U. S. Grant.....August 16, 1875

TREASURERS.

George T. Clark, appointed by Gov. Gilpin ....November 12, 1861
Alexander W. Atkins, appointed by Gov. Evans ....March 17, 1864
A. C. Hunt, appointed by Gov. Cummings.....January 25, 1866
John Wanless, appointed by Gov. Cummings.....September 5, 1866
Columbus Nuckolls, appointed by Gov. Hunt....December 16, 1867
Columbus Nuckolls, reappointed by Gov. Hunt.....March 17, 1868
George T. Clark, appointed by Gov. McCook ....February 14, 1870
George T. Clark reappointed by Gov. McCook ...February 17, 1872
David H Moffat, Jr., appointed by Gov. Elbert....January 26, 1874
Frederick Z. Salomon, appointed by Gov. Routt..February 11, 1876

AUDITORS.

Milton M. Delano appointed by Gov. Gilpin .....Nov. 12, 1861
Richard E. Whitsitt, appointed by Gov. Evans.....March 10, 1864
Richard E. Whitsitt, appointed by Gov. Cummings. January 26, 1866
Hiram J. Graham, appointed by Gov. Cummings. December 13, 1866
Nathaniel F. Cheeseman, appointed by Gov. Hunt ..January 7, 1868
James B. Thompson, appointed by Gov. McCook. February 15, 1874
James B. Thompson, reappointed by Gov. McCook. February 14, 1870
Levin C. Charles, appointed by Gov. Elbert .....January 26, 1874
Levin C. Charles, appointed by Gov. Routt .....February 12, 1876

SUPERINTENDENTS OF PUBLIC INSTRUCTION.

William. J. Curtice, appointed by Gov. Gilpin.....Nov. 7, 1861
Wm. S. Walker, appointed by Gov. Evans.....Nov. 15, 1863

Alexander W. Atkins*.....Feb. 10, 1865
John Wanless*.....January 1866
Columbus Nuckolls*.....March, 1867
Wilbur C. Lothrop, appointed by Gov. McCook.....March, 1870
Wilbur C. Lothrop, reappointed by Gov. McCook.....March, 1872
Horace M. Hale, appointed by Gov. Elbert.....July 24, 1873
Horace M. Hale, reappointed by Gov. Elbert.....1874
Horace M. Hale, appointed by Gov. Routt.....February 9, 1876

DELEGATES TO CONGRESS.

Hiram P. Bennet, elected.....December 2, 1861
Hiram P. Bennet, re-elected.....October 7, 1862
Allen A. Bradford, elected.....July 11, 1864
George M. Chilcott, elected.....November 14, 1865
George M. Chilcott, re-elected.....August 7, 1866
Allen A. Bradford, re-elected.....September 8, 1868
Jerome B. Chaffee, elected.....September 13, 1870
Jerome B. Chaffee, re-elected.....September 10, 1872
Thomas M. Patterson, elected.....September 8, 1874

JUDGES OF THE SUPREME COURT.—CHIEF JUSTICES.

Benjamin F. Hall, appointed by Abraham Lincoln....Mar. 25, 1861
Stephen S. Harding, appointed by Abraham Lincoln...July 10, 1863
Moses Hallett, appointed by Andrew Johnson.....April 10, 1866
Moses Hallett, appointed by U. S, Grant.....April 30, 1870
Moses Hallett, reappointed by U. S. Grant..... 1874

ASSOCIATE JUSTICES.

Chas. Lee Armour, appointed by Abraham Lincoln...Mar. 28, 1861
S. Newton Pettis, appointed by Abraham Lincoln....July 9, 1861
Allen A. Bradford, appointed by Abraham Lincoln....June 6, 1862
Charles F. Holly, appointed by Andrew Johnson.....June 10, 1865
William H. Gale, appointed by Andrew Johnson.....June 10, 1865
William R. Gorsline, appointed by Andrew Johnson..June 18, 1866
Christian S. Eyster, appointed by Andrew Johnson....Aug. 11, 1866
James B. Belford, appointed by U. S. Grant.....June 17, 1870
Ebenezer T. Wells, appointed by U. S. Grant.....Feb. 8, 1871
James B. Belford, reappointed by U. S. Grant..... 1874
Amherst W. Stone, appointed by U. S. Grant.....Mar. 1, 1875
Andrew W. Brazee, appointed by U. S. Grant.....Feb. 24, 1875

UNITED STATES DISTRICT ATTORNEYS.

James E. Daliba, appointed by Abraham Lincoln..... 1861
Samuel E. Browne, appointed by Abraham Lincoln....April 8, 1862
George W. Chamberlain, appointed by A. Johnson....Oct. —, 1865
H. C. Thatcher, appointed by Andrew Johnson.....Jan. —, 1868
Lewis C. Rockwell, appointed by U. S. Grant.....May —, 1869
H. C. Alleman, appointed by U. S. Grant.....April—, 1873
C. D. Bradley, appointed by U. S. Grant.....June 20, 1875
W. H. Parker, appointed.....Dec. —, 1876
W. S. Decker, appointed by U. S. Grant.....Jan. 12, 1877

*Ex officio as Territorial Treasurer.

STATE OFFICERS.

EXECUTIVE.

ELECTED FOR TWO YEARS.

Term expires January, 1879.

John L. Routt, of Arapahoe	Governor.
Lafayette Head,* of Conejos	Lieutenant-Governor.
William M. Clark, of Clear Creek	Secretary.
David C. Crawford,† of El Paso	Auditor.
George C. Corning,† of Boulder	Treasurer.
Archibald J. Sampson, of Fremont	Attorney General.
Joseph C. Shattuck,§ of Weld	Supt. Public Instruction.

UNITED STATES SENATORS AND REPRESENTATIVE.

Jerome B. Chaffee, of Arapahoe	Term expires March, 1879.
Henry M. Teller, of Gilpin	Term expires March, 1883.
James B. Belford‖ (Rep.), of Gilpin	Term expires March, 1879.

JUDICIAL.

JUDGES OF THE SUPREME COURT.

Elected for Nine Years, except as otherwise provided in Constitution, Art. vi. Sec. 8.

Henry C. Thatcher, Chief Justice	Term expires Nov., 1879.
Samuel H. Elbert, Associate Justice	Term expires Nov., 1882.
Ebenezer T. Wells, Associate Justice	Term expires Nov., 1885.

DISTRICT JUDGES.

ELECTED FOR SIX YEARS.

Term expires Nov., 1882.

William E. Beck, of Boulder	First District.
Victor A. Elliott, of Arapahoe	Second District.
John W. Henry, of Pueblo	Third District.
Thomas M. Bowen, of Rio Grande	Fourth District.

DISTRICT ATTORNEYS.

ELECTED FOR THREE YEARS.

Term expires Nov., 1879.

Edward O. Wolcott, of Clear Creek	First District.
David B. Graham, of Arapahoe	Second District.

* Ex-officio President of the Senate.
† Not eligible for re-election.
§ Ex-officio State Librarian.
‖ Seat contested by Thomas M. Patterson to 45th Congress.

John M. Waldron, of Huerfano ..... Third District.
Columbus W. Burris, of Rio Grande..... Fourth District.

[For Judicial Districts see Constitution, page 86, sec. 13.]

REGENTS OF THE UNIVERSITY.

LEVI W. DOLLOFF, President; JUNIUS BERKLEY, Secretary.

Frederick J. Ebert, of Arapahoe, six years ..... Term expires 1882.
Wm. H. Van Gieson, of Rio Grande, two years.. Term expires 1878.
Levi W. Dolloff, of Boulder, four years..... Term expires 1880.
George Tritch, of Arapahoe, six years..... Term expires 1882.
Junius Berkley, of Boulder, two years..... Term expires 1878.
Crescensio Valdez, of Conejos, four years ..... Term expires 1880.

TRUSTEES OF SCHOOL OF MINES.

John H. Yonley, of Summit. | James T. Smith, of Jefferson.
Adair Wilson of Rio Grande.

PRESIDENTIAL ELECTORS.

Herman Beckurts, of Arapahoe. | Wm. L. Hadley, of Clear Creek.
Otto Mears, of Saguache, Messenger.

MANAGERS OF PENITENTIARY.

Joseph T. Boyd, of Jefferson. | B. H. Eaton, of Weld.
O. H. P. Baxter, of Pueblo. | M. N. Megrue, Fremont, Warden.

TRUSTEES OF DEAF MUTE INSTITUTE.

R. G. Buckingham, of Arapahoe. | Matt. France, of El Paso.
J. S. Wolfe, of El Paso.

MEMBERS OF THE STATE BOARD OF AGRICULTURE.

WILLIAM WATROUS, President; HARRIS STRATTON, Secretary.

William F. Watrous, of Larimer. | B. S. LeGrange, of Weld.
William A. Bean, of Larimer. | P. M. Hinman, of Boulder.
Harris Stratton, of Larimer. | M. N. Everitt, of Jefferson.
John Armor, of Arapahoe. | John J. Ryan, of Larimer.

OFFICIAL VOTE FOR STATE OFFICERS.

[First General Election, October 3, 1876.]

Counties.	Governor.		Lieut. Governor.		Secretary of State.		Auditor.		State Treasurer.		Attorney General.		Sup. Public Instruct'n.	
	John L. Routt.	Bela M. Hughes	Lafayette Head	Michael Beshoar	Wm. M. Clark.	James T. Smith.	D. C. Crawford.	J. F. Benedict.	Geo. C. Corning.	Thos. M. Field.	A. J. Sampson.	G. Q. Richmond.	J. C. Shattuck.	G. B. Gresbeck.
Arapahoe	2173	1795	2233	1734	2352	1607	2313	1657	2177	1788	2224	1750	2254	1719
Bent	250	439	246	442	253	434	253	434	247	442	254	432	255	434
Boulder	1539	1096	1485	1034	1572	1076	1572	1076	1565	1042	1483	1036	1511	1133
Costilla	351	173	346	174	352	169	340	171	335	185	327	194	350	65
Conejos	341	218	368	191	341	221	341	221	296	267	341	221	296	219
Clear Creek	1072	1031	1093	1011	1148	952	1081	1019	1097	1011	1093	1016	1089	1017
Douglas	282	333	204	322	203	625	297	320	290	327	326	326	293	329
Elbert	84	117	85	116	83	118	84	117	84	117	291	118	83	118
El Paso	713	397	716	399	722	386	744	370	694	387	707	416	721	385
Fremont	522	531	510	535	525	532	529	527	517	538	519	542	523	533
Gilpin	1005	763	1011	759	1033	730	1013	759	1005	759	1014	757	1007	762
Grand	73	147	85	135	93	127	87	132	84	131	88	132	87	105
Huerfano	410	614	385	637	423	610	416	605	371	646	407	614	413	606
Hinsdale	420	382	409	385	362	410	410	392	403	395	416	385	408	389
Jefferson	537	596	569	574	543	596	519	603	523	578	571	571	571	572
Larimer	374	300	380	293	380	293	362	310	371	300	379	572	572	572
Lake	229	234	218	244	218	246	218	246	218	246	294	294	378	262
Las Animas	669	1271	651	1282	676	1240	680	1257	655	1276	673	1265	676	219
La Plata	50	108	55	104	54	108	54	108	54	107	54	108	55	1220
Park	465	483	467	416	463	416	468	416	494	390	450	417	476	97
Pueblo	543	739	532	714	551	717	553	729	540	742	520	750	556	407
Rio Grande	364	392	357	359	363	362	362	363	356	369	352	373	362	729
Saguache	306	169	277	194	306	186	295	194	205	196	297	194	297	357
San Juan	393	410	397	404	403	399	393	411	378	423	388	415	389	158
Summit	201	185	202	186	209	181	205	182	204	182	201	183	205	182
Weld	788	463	800	449	803	450	568	785	466	802	453	791	456	
Total	14454	13316	14191	13093	14582	12843	14417	13295	14038	13310	14145	13182	14304	12473

There were scattering votes as follows: 1 for Governor in Jefferson County; 11 for Secretary of State in Hinsdale County; 25 in El Paso and 1 in Jefferson for Auditor; 35 in Jefferson and 2 in Summit for Treasurer; and 415 for Superintendent of Public Instruction, with 93 scattering.

MANUAL OF

CUSTOMS, PRECEDENTS AND FORMS.

ORGANIZATION.

The Legislature convenes at 12 o'clock M. on the first Wednesday in January A. D. 1879, and at 12 o'clock M. on the first Wednesday in January of each alternate year forever thereafter, and at other times when convened by the Governor.

Custom, so prevalent and so ancient as to have the force of law, has made it the duty of the clerk of the previous house to call to order, and to conduct the proceedings generally, until a speaker is chosen, but any member elect is competent to perform this duty.

In other States it is the custom for the Secretary of State to furnish to the clerk a certified statement of the names of the members elect, which is read. The members then advance to the clerk's desk, generally the delegation of each county by itself, and subscribe the oath of office. But in this State the usual proceeding is to choose a Speaker and a clerk *pro tem.*, and to appoint a committee who examine credentials of members elect, and report to the House thus temporarily organized.

The oath of office is then administered to the members elect. It may be administered by the President of the Senate, the Governor, Secretary of State, Attorney General, or any of the Judges of the Supreme Court. It has been administered in this State usually by one of the judges. [*Members coming in after the first day of the session are sworn in by the Speaker.*) After all are sworn, the roll is called, when, if a quorum is found present, the Speaker *pro tem.* declares the House to be qualified and competent to proceed to business.

If the members present have determined their choice for officers, the election proceeds forthwith; if not, an adjournment is had until the next day.

It is determined by the House whether the election for Speaker, Clerk, and Sergeant-at-arms and the subordinate officers shall be by ballot, viva voce, or otherwise.

Candidates for Speaker are nominated and the vote taken.

The Speaker *pro tem.* announces the result, and names a commit-

tee to conduct the Speaker elect to the chair. The other elections proceed in the same manner, except that when the result is announced by the Speaker, the officer elect advances to the Clerk's desk and is sworn in by the Speaker.

A committee is then appointed to wait on the Senate, and inform them that the House is organized; or the Clerk is directed, by resolution, to inform the Senate of the fact.

One of the first duties after organization is the adoption of rules for the government of the House.

It is customary for the Speaker to appoint a committee of three to meet with a committee of three from the Senate for the purpose of forming joint rules for the government of both houses; and when completed, the committees report to their respective houses

By concurrent resolution both houses meet in joint convention to canvass the vote for executive officers.

When it has been determined who are the executive officers, a joint committee of both houses is then appointed to wait on the Governor and inform him that both Houses of the General Assembly are organized, and that the houses are in readiness to receive any communication from him.

The Senate and House usually assemble in joint convention in the chamber of the House upon some day and hour suggested by the Governor, during the first week of the session to hear his message.

The message is usually read by the Executive, but may be read by his private secretary, or by any one the Governor may appoint.

At the first opportunity after hearing the message read, the various recommendations therein contained are referred, by resolution, to appropriate standing committees, or select committees.

Standing committees are appointed by the Speaker at as early a day in the session as is possible. Each committee usually consists of five members, but the House determines the number which is sometimes three, or nine, or eleven, or any other number.

DRAWING OF SEATS.

In other States the seats are drawn by lot. The method pursued is as follows:

The members leave their seats, and take places in the open area behind their seats. The clerk having placed in a box slips of paper containing the names of the members respectively, a page or messenger draws them therefrom. The clerk announces each name as it is

drawn, and the member named selects his seat, and occupies it until the drawing is completed.

In this State it is not customary to draw seats by any method. The seats are usually chosen with the view of grouping together those who represent similar interests.

COMPENSATION.

Each member of the General Assembly, as a compensation for his services shall receive four dollars for each day's attendance, and fifteen cents for every mile necessarily travelled in going to and returning from the seat of government, and shall receive no other compensation, perquisite, or allowance whatsoever. It is customary to pay the mileage of members both ways, upon the certificate of the Speaker and clerk as to the proper sum to which each member is entitled.

PAY OF OFFICERS.

The Speaker of the House shall be entitled to receive the same compensation allowed to other members of the Legislature. The per diem of officers of the Legislature shall be as follows: The chief clerk, six dollars; the assistant clerk, five dollars; sergeant-at-arms, assistant sergeant-at-arms, engrossing clerk, assistant engrossing clerk, and enrolling clerk, each four dollars; messenger, door-keeper, janitor, and interpreter, each three dollars; chaplain, two dollars; pages, assistant door-keeper, and janitor, each one dollar and fifty cents.

DUTIES OF OFFICERS.

Speaker—The duties of this officer are generally as follows:

To open the session, at the time to which the House stands adjourned, by taking the chair and calling the members to order.

To announce the business before the House in the order in which it is to be acted upon.

To receive and submit, in the proper manner, all motions and propositions presented by the members.

To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the result.

To restrain the members, when engaged in debate, within the rules of order.

To enforce on all occasions the observance of order and decorum among the members.

To inform the House, when necessary, or when referred to for the purpose, on a point of order or practice.

To receive messages and other communications from other branches of the government, and announce them to the House.

To authenticate by his signature, when necessary, all the acts, orders and proceedings of the House.

To name the members—when directed to do so in a particular case, or when it is a part of his general duty by the rules—who are to serve on committees, and in general.

To represent and stand for the House, declaring its will, and in all things obeying its commands. Every officer of the House is subordinate to the Speaker, and in all that relates to the prompt and correct discharge of official duty, is under his supervision.

The Speaker shall preserve order and decorum; may speak to points of order in preference to others, rising from his seat for that purpose; and he shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House. On an appeal being taken, the question shall be: "Shall the decision of the Chair stand as the judgment of the House?" —— which question, and the action of the House thereon, shall be entered on the journal.

The Speaker may call a member to the Chair, but such substitution shall not extend beyond one day, except by leave of the House.

The Speaker shall vote on all questions taken by yeas and nays, and on all elections or divisions called for by any member.

In the absence of the Speaker, the House shall elect a Speaker *pro tempore*, whose office shall cease on the return of the Speaker.

Clerk—He has the care and custody of all the papers and records, and arranges in its proper order, from day to day, after its inception, all the business of the House. He must, in order to have a proper knowledge of the affairs of his department, apportion, systematize and personally supervise the labor of all his subordinates, and, when not called therefrom by more important duties, should officiate in person at the reading desk. The duties of his subordinates are properly his duties, as all are performed under his direction, and he is responsible for any deficiencies. It is his duty to prepare and furnish to the printer an accurate record of each day's proceedings, and a copy of every bill, report and other thing ordered to be printed, "on the same day such orders are made;" to keep the pay accounts of members and officers, and issue his certificate of per diem to them; to deliver the

messages of the House to the Senate; to sign subpœnas; he can permit no records nor papers belonging to the House to be taken out of his custody, otherwise than in the regular course of business; and shall report any missing papers to the notice of the Speaker.

He is by law responsible for the safe keeping of all bills and other documents in possession of the House, and for the proper registry of all proceedings; and is required at the close of the session, to deposit all papers in his possession as clerk, properly classified and labeled, with the Secretary of State.

REGULATIONS IN THE DEPARTMENT OF THE CLERK.

The Assistant Clerk—It is his special duty: To keep a record of each day's proceedings; and if daily printed, to correct the proof of the same while being printed.

To officiate at the reading desk when required by the clerk; and in case of his absence, to perform his duties generally.

To label and file in their appropriate places all papers presented, with proper dates and references.

To select each day all papers ordered to be printed, make a list thereof in a book provided for that purpose, and send them to the printer, taking his receipt therefor.

To keep a list of all absentees on leave, etc.

The Book Keeper—It is his special duty: To keep the register of bills, resolutions, memorials, etc., showing therein, and opposite to each title, all action taken and proceedings had, with regard to such papers.

To distribute to the proper committee, or officers, all bills, petitions and other papers referred.

To make out all certificates of per diem and mileage, ready for the signature of the Speaker and clerk.

To prepare the message to be delivered to the other House, and when not otherwise occupied, to help the assistant clerk in the performance of his duties.

The Engrossing Clerk—It is his special duty: To engross all bills ordered to a third reading which the rules require to be engrossed, properly placing all amendments adopted prior to the order for their engrossment.

By the direction of the clerk or assistant clerk, to perform any necessary service appertaining to the duties of the other deputies.

The Enrolling Clerk—It is his special duty: To make clear,

legible copies of all bills which have been concurred in, without erasures or interlineations.

GENERAL REGULATIONS.

Each deputy, when not occupied in the performance of his own special duties, is to render such assistance to the clerk and to his associate deputies as may be in his power, or as the pressure of duties in a particular department may render necessary.

The deputies are expected to notify the clerk of any interference by members or others with their duties, and of all improper approaches or requests made to them by any person. They are not to exhibit to any person any bill or other document in their possession without leave of the clerk.

Perfect courtesy must at all times be maintained towards members, reporters, associate deputies, and all who have business to transact with the department; but interference with legislation cannot be allowed under any circumstances.

To Members, Officers and Reporters—It is especially requested that no member, officer or reporter will interrupt the assistant clerk while engaged in keeping the journal. "No journal, record, account or paper," of any kind may be taken from the desk, unless by express permission of the clerk.

Sergeant-at-Arms.—This officer is the executive officer of the House. He has charge of the chambers and appurtenant conveniences of the House. He controls the police regulations, attends to the warming of the chambers, serves the subpœnas and warrants of the House, announces messages from the Governor and from the Senate, provides rooms for committees, receives from the Secretary of State all public documents ordered or coming in due course, and distributes the same through the post-office, or otherwise, to members and officers entitled thereto. He is to organize his department with such system that each of his subordinates shall know his precise duties, and he is to see that each performs his duty promptly, thoroughly and courteously. He is required to keep the chamber open from 8 o'clock A. M. to 10 o'clock P. M.

He should have the printed bills and other documents in his possession so classified and arranged that he can at once answer any call upon him for them.

His assistant assists him generally in the discharge of his duties, and takes his place when he is absent.

The Door Keeper attends to the principal door; opens and closes

it for the entry and exit of all persons; maintains order in the lobby and vestibule; sees that visitors are seated, and that the regulations of the House, in his department, are strictly enforced.

The Assistant Door Keepers, each at their respective stations, are to discharge the same duties as the principal door keeper. They must be in attendance as well during the recess as the sessions of the House to keep out intruders and maintain order.

The Firemen attend to the warming and ventilation of the House chamber, and under the direction of the sergeant-at-arms, make themselves generally useful.

The door keepers and firemen are responsible to the sergeant-at-arms.

DUTIES OF MESSENGERS.

To be in attendance from 8 o'clock A. M. until 10 o'clock P. M. every day (Sundays excepted), whether the House is in session or not.

To receive the journals and printed bills from the Sergeant-at-Arms, and arrange them in order on the file of each member.

Not to leave the House chamber during the *morning hour*, or absent themselves from the sessions of the House during an entire day, except upon leave of the Speaker or the House.

During the morning hour to take the positions assigned to them by the Clerk; and, standing up, so as to see and be seen, hold themselves in readiness to bring all bills, resolutions, etc., from the several members to the Clerk, when presented.

After the expiration of the morning hour, when not engaged in filing bills, etc., for the members they have in charge, to answer promptly any call, and render assistance to any member requiring it.

To refrain from throwing any paper balls, darts, or other missile; to move lightly across the House chamber, and demean themselves respectfully towards every member and officer of the House.

STATIONERY.

The Secretary of State furnishes to the Sergeant-at-Arms the stationery required by the members, the clerk and other officers.

NEWSPAPERS.

In regard to the supply of newspapers there are no regulations

The House determines what papers, and how many, shall be furnished.

PROCESS OF PASSING BILLS.

Some diversity of practice exists herein, but the ordinary method in the House is as follows:

A member having prepared a bill and endorsed the title thereof, together with his name, upon the back of it, rises to his feet, at such time as the introduction of bills is in order, and says:

"Mr. Speaker."

If recognized, the Speaker responds:

"The gentleman from ———."

The member announces:

"I ask leave to introduce a bill."

The bill is then sent to the Clerk by a messenger. The Clerk then reads the title of the bill, and places it on file for its first reading, and when the order for the first reading of bills is reached, the Clerk reads the first bill on file *at length*, when the Speaker announces:

"First reading of the bill."

The second reading of bills must be on a day subsequent to their first reading. When the Speaker calls for the second reading of bills, the Clerk reads the first bill on file for second reading *at length*, when the Speaker announces:

"Second reading of the bill."

The bill is then usually referred to such standing committee, or select committee, or to the general file for Committee of the Whole, as the House may determine.

If the bill has been referred to a standing committee, or select committee, it is in due course reported back to the House by the committee, when it is placed in the general file.

Bills in the general file are usually considered in Committee of the Whole in the exact order in which they are placed upon the file. Proceedings in Committee of the Whole will be elsewhere considered.

After a Committee of the Whole has completed its action upon any bill, and reported the same back to the House, and any recommendations made by the committee passed upon, it is taken up in its order, when the Speaker puts the following question:

"Shall this bill be engrossed, and read a third time?"

If decided affirmatively the bill is thereby referred to the engrossing committee. Upon its return engrossed from the engrossing clerk, the original and engrossed bills are placed in the hands of the *Committee on Engrossed Bills*, who compare them and correct any errors

which they may find. When found correct, or made so, the committee report them to the House as correctly engrossed, when the original is filed by the Clerk, and the engrossed bill goes into the order of "bills ready for a third reading."

When, under the order of business, the bill is reached, the title of the bill is read, and the bill itself is read *at length*, when the Speaker says as follows:

"This bill having been read three several times, the question is: Shall the bill pass?"

If the bill passes it is taken to the Senate, with a message announcing its passage by the House, and asking the concurrence of the Senate therein.

Going through with a similar process in the Senate, it is returned with a message announcing their action upon it.

If the Senate concurs, the bill is sent to the Enrolling Clerk, who makes a copy thereof, as is elsewhere described. When enrolled, it goes to the *Committee on Enrolled Bills*, who compare it with the engrossed bill. When found or made correct, they report the bill to the House as correctly enrolled; the engrossed bill is filed by the Clerk; the enrolled bill is then endorsed by the Clerk as having originated in the House (for the information of the Governor, in case he vetoes it). It is then referred to a joint committee of enrollment, who present the same to the Speaker, who has the title of the bill read in hearing of the House, and then signs it, after which the joint committee present the bill to the President of the Senate, who has the title of the bill read in hearing of the Senate, and then signs it. The committee then proceed to the Governor and present the bill thus duly signed for his approval, and report that fact to the House, and the hour when it was deposited in the Governor's hands. The Governor, if he approves the bill, informs the House in which it originated of that fact, and that he has deposited it with the Secretary of State.

This is the ordinary process of a bill through all its stages until it becomes a law. A bill of great interest or importance, or one which is warmly contested, may, by reason of majority and minority reports, special orders, recommitment, amendments, substitutes, committees of conference, and various other parliamentary appliances, pass through a vast number of stages not before enumerated.

Senate bills coming into the House after passing the Senate, are read twice by title and then read *at length*, and then referred to the appropriate committee.

After consideration in Committee of the Whole, the recommen-

dation of the committee is acted upon in the House, the question being, after recommendations are disposed of:

"Shall this bill be ordered to a third reading?"

If it is decided affirmatively, the bill passes into the order of "bills on third reading;" and when reached in that order, the question is:

"Shall this bill be concurred in?"

If concurred in, the bill is returned to the Senate, with the message informing it of that fact.

COMMITTEE OF THE WHOLE.

The Committee of the Whole is an expedient to simplify the business of legislative bodies. No record is made of its proceedings, and it has no officers except of its own creation, for temporary purposes. It is liable to instant dissolution in case of disorder, when the Speaker takes the chair for a Call of the House, or an adjournment, and in case of a message from the Senate or Governor, when the Speaker takes the chair to receive it.

The House may resolve itself into a Committee of the Whole upon some particular bill, resolution or subject, or it may go into Committee of the Whole upon the general file of bills.

In the first case the motion is:

"That the House do now resolve itself into a Committee of the Whole upon [bill No. ——, A, a bill ——], or [joint resolution No. ——, A, providing, etc.], or [upon all bills relating to ——], as the case may be."

In the second case it is:

"That the House do now resolve itself into a Committee of the Whole upon the general file of bills."

Bills, resolutions, and general matters which have been once considered in committee of the whole, and in which progress has been made, and leave granted for further consideration, have the preference. The motion of the Committee of the Whole, for their further consideration, must be made under the head of "bills in which the committee of the whole have made progress and obtained leave to sit again;" and in which case the member who presided when the same matter was previously considered in committee of the whole, resumes the chair.

The motion for the committee of the whole upon the general file,

must be made under the order of "bills not yet considered in committee of the whole."

When the House resolves itself into committee of the whole, the Speaker selects a chairman as follows:

"The gentleman from ——, Mr ——, will take the chair."

The appointed chairman advances to the Speaker's desk, and having taken the chair, receives from the clerk the papers indicated by the motion for the committee, when the chairman announces:

"Gentlemen, — The committee have under consideration bill No. ——, entitled ——" (*reading the title from the back of the bill*). *Or in case of consideration of the general file:* "The committee have under consideration the general file of bills; the first in order is bill No. ——, A, entitled ——. The first section is as follows."

The chairman then reads the first section, and asks:

"Are there any amendments proposed to the first section?"

If none are offered, the chairman says:

"No amendments being offered to the first section, the second section will be read."

This process is continued through the whole bill, when at the close of the reading the chairman says:

"The ——th section and the whole bill have now been read, and are open to amendment."

At this point, after the friends of the bill have perfected it, it is customary for the opponents of the bill to open their attack. After the discussion of the bill to such an extent as may be desired, if no amendments are made, the final vote is generally upon a motion—

"That the bill be reported back to the House without amendment."

If any other bills are before the committee, they are proceeded with in the same manner. If it is desired to have further consideration of any matter before the committee, or if the general file has not been gone through with, the motion is:

"That the committee rise, report progress, and ask leave to sit again."

If the committee has completed its duties, the motion is:

"That the committee rise and report."

Which being analagous to a motion to adjourn, is not debatable. The chairman states the matter as follows:

"It is moved that the committee do now rise and report (*or otherwise, as the case may be*)."

"Is the committee ready for the question?"

"Gentlemen,—Those who are of opinion that this committee do

now rise and report, say 'Aye;' those of a contrary opinion say 'No.'"

In case of doubt a division must be had, as the ayes and noes cannot be called in committee of the whole.

When the committee rises, the Speaker resumes his seat, and the chairman, in his place on the floor, reports as follows:

"Mr. Speaker."

The Speaker answers:

"Mr. Chairman."

Who reports:

"The committee of the whole have had under consideration bill No. ——, A, entitled ——, and have instructed me to report the same to the House with amendment" (*or as the case may be*).

When the general file has been under consideration, the report is as follows:

"The committee of the whole have had under consideration the general file of bills, have gone through the same, and have directed me to report to the House the bills contained therein, with sundry amendments and recommendations as follows, to-wit:" [*Here follows the titles of bills considered, with action taken upon them.*]

In case the file has been left unfinished, the report is:

"The committee of the whole have had under consideration the general file of bills, and have made some progress therein. I am directed to report back the following bills, with the amendments and recommendations hereinafter specified, and ask leave for the committee to sit again." [*Here follows the report of amendments, etc., as above.*]

In the latter report the question is:

"Shall leave be granted?"

When, upon a count, it is ascertained that a quorum is not present, the report is:

"The committee of the whole have had under consideration ——, and, after some progress therein, find there is no quorum present; that fact I herewith report to you."

In case of confusion or disorder, the Speaker, of his own accord, resumes the chair temporarily and without any formality, for the purpose of suppressing it. When order is restored the chairman resumes the chair, and the business proceeds.

Upon the coming in of a report, the recommendations are usually at once acted on by the House.

When, in committee of the whole, any member desires to offer an amendment, it must be reduced to writing and sent to the chairman, who reads it, and asks:

"Is the committee ready for the question upon the amendment?"

And if no further amendment or debate offer, he puts the question in the usual manner.

After a section is once passed, with an unsuccessful effort to amend it, no further amendments are in order. The strictness of this rule is, however, not always adhered to; an amendment once made may, however, be reconsidered. Such a motion is:

"That the amendment offered by the gentleman from ——, to the ——th section, be reconsidered."

And is stated as follows:

"The gentleman from —— moves that the amendment of the gentleman from —— to the ——th section be reconsidered.

"Is the committee ready for the question?"

"Those who are of the opinion that said amendment be reconsidered say 'Aye;' those of the contrary opinion say 'No.'"

In case the amendment is reconsidered, the Speaker says:

"The motion is carried. The amendment is reconsidered. The question now recurs upon the adoption of the amendment. Is the committee ready for the question?" etc.

FORMS.

Of Titles:

No. ——, a bill to ——.

Amending Bill:

A bill relating to ——, and amendatory of section ——, of chapter ——, of the ——.

Repealing Bill:

A bill to repeal section ——, of chapter ——, of the ——, relating to —— (filling the blanks with the proper section and chapter of the revised statutes or general laws, designating the same, and also the subject, object or purpose of the section of the chapter repealed; and in the body of every bill, the full title of the act repealed shall be recited at length).

Appropriation Bill:

"To appropriate to —— the sum of —— dollars.

Titles should be written inside the bill, and endorsed upon the outside as follows:

No. ——, A.
A Bill to change the name of
Andrew Jackson to James Madison.

MR. GORDEN.

Resolutions should not be entitled, but should have the name of

the mover endorsed upon them. The same rule applies to amendments.

Resolutions are of no special form; the following may serve as a general guide in such matters:

Res. No. ——, A.

"*Resolved*,—That three thousand copies of the Governor's message be furnished by the printer to the Sergeant-at-Arms, for the use of the House.

"MR. TUCKER."

For reports the following form is used:

"The committee on———, to which was referred bill No.———, A., a bill to———, *respectfully report the same back to the House with an amendment, and recommend its passage when amended*;" or, "*and recommend that it do pass*; or, "*and recommend that it be indefinitely postponed*;" or, "*and recommend that it be referred to the delegation from* ———;" or, "*to a select committee.*"

Or, if the committee report by bill:

"The committee on ———, to which was referred———, respectfully report "by bill No. ———, A., a bill to———;

"And recommend its passage."

An enacting clause must precede the body of the bill.

It must *invariably* be in the following form:

Be it enacted by the General Assembly of the State of Colorado: Const., Art. 5, *Sec.* 18.

INVESTIGATIONS.

When an investigation is required into any matter, the person most interested in having the inquiry made, should move the appointment of a committee to take the subject in charge. This is done by resolution. The resolution should be so drawn as to state the precise subject to be investigated, and to give the committee all the power which the mover may deem necessary to a thorough examination into the subject matter to be laid before them; this should be done to prevent any misapprehension as to the intention and extent of the inquiry to be made. In case of the adoption of the resolution, the mover, together with other members, will be appointed a committee. They have power to send for persons and papers. The form of a subpœna is as follows:

"THE STATE OF COLORADO, }

"To —— ——: You are hereby commanded, that, laying aside all business and excuse, you personally appear and attend before Messrs. —— ——, on the part of the Senate, and Messrs. —— ——, on the part of the House, a *joint* committee appointed under a reso-

lution of the Senate and House, to investigate at the room of said committee———, in the city of Denver, the capital of the State, on the———day of———, A. D. one thousand eight hundred and———, at the hour of———in the———noon, then and there, and from time to time, as required by said committee, to testify and give evidence upon the matters of inquiry before said committee.

"Hereof fail not, under penalty in such case made and provided.

"Given at the House chamber, in the city of Denver aforesaid, this———day of———, A. D. 18——.

"—— ——, *Speaker of the House.*

"Attest: —— ——, *Chief Clerk of the House.*"

In case of a refusal to appear, or a refusal to testify, the following form of certificate has been used:

"To Hon. —— ——, *Speaker of the House:*

"I, —— ——, chairman of the *joint* committee appointed to investigate———, do hereby certify that———has been duly subpœnaed to appear before said committee, as will fully appear by the writ served, and affidavit of service accompanying the same, on file with the chief clerk of the House.

"I further certify that said —— —— has failed to appear before said committee, according to the exigency or mandate of said writ or subpœna.

"Dated Denver, ———, 18——, at———o'clock.

—— ——."

Upon which a warrant, in the following form, may be used:

"*The State of Colorado to the Sergeant-at-Arms of the House:*

"It appearing that a writ of subpœna, directed to —— ——, commanding him to personally appear and attend before Messrs. —— ——, on the part of the Senate, and Messrs. —— ——, on the part of the House, a *joint* committee appointed under a resolution of the Senate and House, to investigate —— ——, at the room of said committee, in the city of Denver, the capital of the State, the——day of ——, A. D 18——, at the hour of —— in the——noon, then and there, and from time to time, as required by said committee, to testify and give evidence upon the matter of inquiry before said committee, has been issued, and that the said writ of subpœna was duly and personally served upon the said —— ——, on the —— day of——, A. D. 18——, and returned; and it further appearing by the certificate of the chairman of the said joint committee, that the said —— —— has failed or neglected to appear before the said committee in obedience to the mandate of the said subpœna: *therefore*, you are hereby commanded, in the name of the State of Colorado, to take the body of him, the

said —— ——, and bring him before the House, so that he may testify and give evidence before the said committee, and answer for his contempt of the House in not obeying the mandate of said subpœna. Hereof fail not.

"Given at the House chamber, in the city of Denver aforesaid, this —— day of ——, A. D. 18——.

"—— ——, *Speaker of the House.*

"—— ——, *Chief Clerk of House.*"

To which the return, in ordinary cases, would be:

"By virtue of the within process, I did, on the —— day of ——, 18—, arrest the body of —— ——, and took him before the committee within named, and the said —— —— having refused to answer interrogatories propounded by said committee, I have him, by direction of said committee, now before the House.

"House Chamber, ——, 18—.

"—— ——, *Sergeant-at-Arms of the House.*"

A resolution, declaring the defaulter to be in contempt, is the next proceeding.

The following is a form for such resolution:

"*Resolved*, That the neglect or failure of —— —— to appear before the joint investigating committee, composed of Messrs. —— ——, of the Senate, and Messrs. —— ——, of the House, in compliance with the mandate of the writ of subpœna of this House, served upon him on the —— instant, as fully appears by the said writ and affidavit of the service thereof endorsed thereon, now on file with the Chief Clerk of this House, be and the said neglect and failure is hereby declared a contempt of this House."

This is followed by an interrogatory, as follows:

"Int. 1.—Why did you not appear before the *joint* investigating committee, as required by the mandate of the subpœna served upon you the —— instant?"

To which the defaulter pleads before judgment is inflicted.

Another form is as follows:

"*Resolved*, That the refusal of —— —— to answer the questions put to him by a member of the *joint* investigating committee, on the —— instant, and which questions were certified to the House by —— ——, chairman of said committee; and are now in writing, on file with the Chief Clerk of the House, be, and the same is hereby declared a contempt of this House."

Followed by the corresponding interrogatory:

"Why did you not answer the question put or propounded to you

on the —— instant, by a member of the *joint* investigating committee, of which —— —— is chairman?"

In case the answer is satisfactory, the offender is discharged; if otherwise, he is punished by reprimand, fine or imprisonment, or both; but such imprisonment cannot extend beyond the session of the Legislature.

The report of a Committee on Investigation should consist of three parts:

1. The testimony taken.

2. A statement of the facts proven thereby, or conclusions derived therefrom.

3. Resolutions, or a bill providing for the action which the committee deem proper to be taken in the premises.

QUORUMS.

Whole number electable:

"Not less than 25 nor more than 49."

To expel a member:

"Two-thirds."

To do any business except to adjourn from day to day, and compel the attendance of absent members:

"A majority."

To cause the ayes and nays on any question to be entered upon the journal:

"Two members."

To pass any bill which imposes, continues or renews a tax, or creates a debt or charge, or makes, continues or renews any appropriation of public trust, money or release, discharges or commutes a claim or demand from the State:

"A majority of all."

To adjourn from day to day:

"A smaller number than a majority."

To agree to an amendment of the Constitution:

"A majority of all the members."

To recommend a constitutional convention:

"Two-thirds of all."

To contract a public debt:

"A majority of all members elect."

To pass any resolution or motion:

"A majority of all present."

To pass any bill:

"A majority of all the members elect."

To make a Call of the House:

"Two members."

To order the previous question:

"A majority present."

To suspend the rules:

"Two-thirds of the members present."

To change the order of business:

"Two-thirds of the members present."

To bring in a bill which has been rejected by the Senate:

"Two-thirds of the House."

To agree to an amendment made by the Senate to a House bill bill with an emergency clause:

"Two-thirds of all members elect."

RULES AND ORDERS OF THE SENATE.

1. The hours of meeting shall be 10 A. M. and 2 P. M., unless otherwise ordered.

2. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected, which shall be made in the entries. A quorum shall consist of a majority of the members of the Senate.

3. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the journal or public papers are being read, or when any member is speaking in debate. No smoking shall be allowed during the sitting of the Senate.

4. Every member, previous to speaking, shall rise from his chair, and respectfully address the President, and shall confine himself to the question under debate, and avoid personality.

5. No member shall speak more than twice on any one debate on the same day, without leave of the Senate.

6. When two members rise at the same time, the President shall name the person to speak; but in all cases the member who shall first rise and address the chair shall speak first.

7. When a member shall be called to order by the President or a Senator, he shall sit down; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order.

8. If the member be called to order by a Senator for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary, that the President may be better enabled to judge of the matter.

9. No member shall absent himself from the service of the Senate without leave of the Senate, and in case a less number than a quorum of the Senate shall convene, they, or a majority of them, may send

the Sergeant-at-Arms, or other suitable person or persons, for any or all absent members, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made, as the Senate, when a quorum is convened, shall judge sufficient.

10. No motion shall be debated until the same shall be seconded.

11. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any member, delivered at the table of the Secretary, and read before the same shall be debated.

12. When a question is under debate no motion shall be received, except as otherwise provided in these rules, but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, or amend, which several motions shall have precedence in the order they stand arranged. Any motion may be withdrawn by the mover at any time before a discussion, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave of the Senate. A motion to adjourn shall always be in order. That, and the motion to lay on the table, shall be decided without debate.

13. The previous question shall be in this form: "Shall the main question be now put?" It shall only be entertained when demanded by a majority of the members present, and its effects shall be to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

14. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless disposed of by taking the question, or in some other manner.

15. Any five members may make a call of the Senate and require absent members to be sent for, but a call of the Senate cannot be made after the voting has commenced, and the call of the Senate being in order, and the absentees noted, the doors shall be closed and no member permitted to leave the room until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings in the call be suspended by a vote of two-thirds of the Senate.

16. The President shall rise to put a question, but may state it sitting.

17. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

18. If a question in debate contains several points, any member may have the same divided, but on motion to strike out and insert, it shall not be in order to move for a division of the question, but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out, nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

19. All so called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto, except such matters as may be reported by committees.

20. In filling up blanks the largest sum and longest time shall be first put.

21. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Senate, and without debate.

22. When the ayes and nays shall be called for by two of the members present, each member called upon shall declare openly, and without debate, his assent or dissent to the question, unless by special reason he be excused by the Senate.

23. When the ayes and nays shall be taken on any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

24. On a motion made and seconded to shut the doors of the Senate, on the discussion of any business which may in the opinion of the Senate require secrecy, the presiding officer shall direct the lobby to be cleared, and during the discussion of such motion the doors shall remain shut.

25. No motion shall be deemed in order to admit any person or persons whatsoever, other than a Senator, within the Senate chamber, to present any petition, memorial or address.

26. When a question has been carried or negatived, it shall be in order for any member of the majority to move for the reconsideration thereof. But no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, announcing their decision; nor shall any motion to reconsider be in order unless made on the same day on

which the vote was taken, or within the next two days of actual session of the Senate thereafter.

27. The President of the Senate, or President *pro tempore*, shall have the right to name a member to perform the duties of the Chair; but such substitution shall be for that day only.

28. Every petition or memorial, or other paper, shall be referred, of course, without putting a question for that purpose, unless the reference be objected to at the time the same is presented; and before any petition or other paper shall be received or read, a brief statement of the contents of the same shall be verbally made by the introducer.

29. The following shall be the order of business for the day:

1. Calling the roll.
2. Prayer by the Chaplain.
3. Reading the journal.
4. Petitions and memorials.
5. Reports from standing committees.
6. Reports of special or select committees.
7. Resolutions.
8. Amendments proposed by the House to Senate bills.
9. Introduction of bills.
10. Bills on first reading.
11. Bills on second reading.
12. Bills on third reading, and final passage.
13. Special order of the day.
14. Unfinished business.

30. All bills introduced in the Senate shall, after the second reading be printed for the use of the members, but no other paper or document shall be printed without special order.

31. Every bill shall receive three readings at length previous to its being passed, and the President shall give notice at each, whether it be the first, second or third, which readings shall be on three different days. All resolutions to which the signature of the Governor may be requisite, shall be treated, in all respects, in the introduction and form of proceedings on them in the Senate, in a similar manner with bills, and all other resolutions shall lie on the table one day before being taken up for consideration, and also all reports of committees.

32. No bill shall be committed or amended until it shall have been twice read, after which it shall be referred to a committee.

33. All bills after second reading shall be printed and considered by the Senate in the committee of the whole before they shall be taken up and proceeded on by the Senate, agreeably to the standing rules, unless otherwise ordered. When the Senate shall consider a bill or resolution

as a committee of the whole, the President or President *pro tempore* shall call a member to fill the chair during the time the Senate shall remain in committee of the whole.

34. The final question, upon the second reading of every bill, resolution or motion, originating in the Senate and requiring three readings previous to being passed, shall be, "whether it shall be engrossed and read a third time?" And no amendments shall be received for discussion at a third reading, of any bill, resolution or motion, unless by unanimous consent of the members present, but it shall at all times be in order, upon the final passage of any bill, resolution or motion, to move its commitment, and shall such commitment take place, and any amendment be reported by the committee, said bill, resolution or motion, shall again be read the second time and considered in committee of the whole, and then the aforesaid question shall be again put.

35. The title of bills shall be inserted on the journals.

36. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall first be put.

37. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall first be put.

37. When nominations shall be made in writing by the Governor to the Senate, a future day shall be assigned, unless the Senate otherwise direct, for taking them into consideration.

38. All confidential communications made by the Governor shall be kept secret. When acting on confidential or executive business, the Senate room shall be closed to all persons except the Secretaries and Sergeant-at-Arms. All information or remarks touching the character or qualifications of any person nominated by the Governor to office, shall be kept secret. The legislative proceedings, the executive proceedings, and the confidential legislative proceedings of the S nate, shall be kept in separate and distinct books.

39. The proceedings of the Senate, when not acting in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings and every vote of the Senate shall be entered on the journal, and a brief statement of the contents of each petition, memorial or paper presented to the Senate, shall be inserted on the journal.

40. Messages shall be sent to the House by the Secretary or Assistant Secretary; the Secretary having previously endorsed the final determination of the Senate thereon.

41. The Sergeant-at-Arms shall not permit any person not a mem-

ber or officer of the Senate to pass inside the railing, in the rear of the seats of the members, at any time during the session of the Senate, except the Judges of the Supreme and District Courts, the Governor and other State officers, and duly accredited representatives of the press, and the members of the Legislature of the State of Colorado, and such other persons as may be invited by the members.

42. Messengers may be introduced in any stage of business, except when a question is being put, whilst the ayes and nays are being called, or while the ballots are being counted.

43. The rules of the Senate shall be observed in the committee of the whole so far as they may be applicable, except that a member may speak oftener than twice on the same subject, and the ayes and nays shall not be taken nor the previous question enforced.

44. A motion that the committee rise shall always be in order, and shall be decided without debate.

45. All committees shall be appointed by the presiding officer, unless otherwise directed by the Senate.

46. Any official or member of the Senate convicted of disclosing any matter directed by the Senate to be held in confidence, shall be liable, if an officer, to dismissal from the service of the Senate, and in case of a member, to suffer expulsion from the body.

47. The committee on engrossment shall examine all bills and resolutions after they are engrossed and before action is taken thereon, and report the same to the Senate when correctly engrossed.

48. The committee on enrollment shall examine all bills referred to them, and report the same to the Senate correctly enrolled. Said committee may report at any time.

49. There shall be a standing committee to consist of five members (of which the President *pro tempore* shall be *ex-officio* a member), on rules.

50. No rule of the Senate shall be altered, suspended or rescinded, without the vote of two-thirds of the members elected.

51. The rules of parliamentary practice comprised in Cushing's Parliamentary Law Practice of Legislative Assemblies, shall govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Senate, and the joint rules of the Senate and House of Representatives.

The following standing committees shall be elected by the Senate.

1. Judiciary.
2. Finance, Ways and Means.
3. Mines and Mining.

4. Education, School and University Lands.
5. Incorporations and Railroads.
6. Public Lands.
7. Agriculture and Manufactures.
8. Stock.
9. Fees and Salaries.
10. Irrigation.
11. Immigration.
12. Elections.
13. State Institutions and Public Buildings.
14. Counties and County Lines.
15. Roads and Bridges.
16. Military Affairs.
17. Indian Affairs.
18. Penitentiary.
19. Federal Relations.
20. Printing.
21. Engrossment.
22. Enrollment.
23. Rules.

RULES AND ORDERS OF THE HOUSE.

MEETINGS, QUORUM, ETC.

1. The hour for the daily meeting of the House shall be 10 o'clock in the morning, unless some other be designated by the House at the time of its adjournment.

2. A majority of the House shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, and may inflict such censure or pecuniary penalty as they may deem just, on those who being called for that purpose shall render no sufficient excuse for their absence.

3. No member shall be excused from attendance for more than one day without the consent of two-thirds of all the members present.

4. Upon the appearance of a quorum, the journal of the preceding day shall be read by the Clerk, and any mistake therein may be corrected by the House.

SPEAKER.

5. The Speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called.

6. The Speaker shall vote on all questions taken by yeas and nays, and on all elections, or divisions called for by any member.

7. The Speaker shall preserve order and decorum; and shall decide questions of order, subject to an appeal to the House.

8. The Speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

9. The Speaker shall cause the Clerk to make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a committee of the whole House, and which are not made the order of the day for any particular day, and to

number the same, which list shall be called, "The General Orders of the Day;" and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House; and the Clerk shall also keep a book, showing the situation and progress of all bills.

ORDER OF THE DAY.

10. On the meeting of the House the order of the day shall be as follows:

1. Prayer by the Chaplain, if present.
2. Call of the roll.
3. Reading of the journal of the previous day.
4. Presentation of petitions.
5. Reports of standing committees.
6. Reports of select committees.
7. Message from the Governor.
8. Amendments proposed by the Senate to bills from the House of Representatives.
9. Motions, resolutions and notices.
10. Introduction and first reading of bills.
11. Second reading of bills and resolutions from the Senate.
12. Second reading of House bills and resolutions.
13. Consideration of bills reported upon by committees.
14. Third reading of Senate bills and resolutions.
15. Third Reading of the House bills and resolutions.
16. Unfinished business of the preceding day.
17. Special orders of the day.
18. General orders of the day.

Any other business not prohibited by the rules of the House.

DECORUM AND ORDER OF DEBATE.

11. Every member, previous to speaking, shall rise from his chair, and respectfully address himself to the Speaker, and shall confine himself to the question under debate, and avoid personality.

12. When two or more members address the Chair at the same time, the Speaker shall recognize the one who first rose.

13. A member called to order shall immediately sit down, unless permitted to explain, and the Chair shall decide the question of order, without debate, subject to an appeal to the House.

14. When the Speaker is putting the question, no member shall walk out of or across the House, nor when a member is speaking, shall

any person entertain any private discourse, or pass between him and the Chair; and no smoking shall be allowed in the House.

15. No member shall speak more than twice, nor more than thirty minutes at one time on the same question, without leave of the House, nor more than once until every member who chooses to speak shall have spoken, except chairmen of committees, upon matters reported by them.

16, No motion shall be debated, or put, unless the same be seconded; it shall be stated by the Speaker before the debate, and any such motion shall be reduced to writing, if the Speaker or any member desire it.

17. After a motion shall be stated by the Speaker. it shall be deemed to be in possession of the House; all motions, resolutions, or amendments, shall be entered on the journal, whether rejected or adopted.

18. If the question in debate contain several points, any member may have the same divided.

19. Every member who shall be present before the vote is declared from the Chair, and no other, shall vote for or against the same, unless the House shall excuse him; *provided*, that if any member have a personal or private interest in any measure or bill proposed or pending, he shall declare the fact to the House, and shall not vote thereon.

20. Any two members may make a call of the House, and require absent members to be sent for, but a call of the House cannot be made after the voting has commenced; and the call of the House being ordered, and the absentees noted, the doors shall be closed, and no member permitted to leave the room until the report of the sergeant-at-arms be received and acted upon, or further proceedings in the call be suspended by a vote of two-thirds of the House.

21. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone indefinitely, to postpone to a certain day, to commit or to amend, which several motions shall have precedence in the order in which they stand arranged.

22. A motion to adjourn shall always be in order, except when a member is addressing the Chair, or a vote is being taken; *provided*, the motion being once moved and decided in the negative shall be considered settled until some other motion or business shall come before the House. The motion to adjourn and to lay on the table, shall be decided without debate.

23. When the House adjourns the members shall keep their seats until the Speaker announces the adjournment.

24. The orders for a particular day shall hold for every succeeding day until disposed of.

25 All questions, whether in committee or in the House, shall be put in the order they are moved, except in case of privileged questions; and in filling up blanks the largest sum and the longest time shall be first put.

26. The ayes and noes shall be ordered when demanded by any member, and all votes taken by ayes and noes shall be entered on the journal.

27. Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker or by a member in his place.

BILLS AND RESOLUTIONS.

28. Every bill shall be introduced by motion for leave or on a report of a committee.

29. Every bill and resolution shall have prefixed thereto the name of the person introducing it; and when ordered by a committee the name of said committee shall be endorsed thereon.

30. Every bill shall be read at length, on three different days, in the House; all substantial amendments made thereto shall be printed for the use of the members, before the final vote is taken on the bill; and no bill shall pass except by vote of a majority of all members elected to the House, nor unless on its final passage the vote be taken by ayes and nays, and the names of those voting be entered on the journal.—*Const.*

31. No bill shall be committed or amended unless it has been read twice. No joint resolution shall be declared passed unless voted for by a majority of all members elected to the House.

32. No bill shall be considered or become a law unless referred to a committee, returned therefrom, and printed for the use of the members.—*Const.*

33. No bill, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title.—*Const.*

34. All bills shall be printed immediately after the first reading thereof, unless otherwise ordered by the House.

35. All bills after having been read a second time shall be placed on the file for consideration of the committee of the whole, unless specially ordered by the House.

36. The same bill shall not appropriate the public money or property to more than one local or private purpose; and bills appro-

priating moneys for the payment of officers of the Government shall be confined to that purpose exclusively.

37. In all cases where a bill, order, resolution, or motion shall be entered on the journal of the House, the name of the member moving the same shall be entered on the journal.

38. A similar mode of proceeding shall be observed with bills which have originated in the Senate, as with bills originating in the House.

39. All memorials, and joint resolutions, upon their introduction shall be read by title, and laid upon the table until printed, unless by a suspension of this rule the House decide otherwise.

40. Every order or resolution to which the concurrence of the Senate shall be necessary, unless otherwise ordered by a majority of the House, shall be read to the House and laid upon the table on a day preceding action thereon.

COMMITTEE OF THE WHOLE.

41. When the House has arrived at the general orders of the day, it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the House; and no business shall be in order until the whole are considered and passed, or the committee rise; and unless a particular bill is ordered up, the committee of the whole shall consider, act upon, or pass, the general orders according to the order of their reference.

42. In forming a committee of the whole House the Speaker shall appoint a chairman to preside.

43. Bills committed to a committee of the whole House shall be read and considered by clauses, leaving the preamble to be last considered. All amendments shall be entered on a separate piece of paper, and so reported to the House by the chairman, standing in his place.

44. The rules of the House shall be observed in committee of the whole House, as far as may be applicable, except that the ayes and nays shall not be called, nor the previous question enforced.

45. A motion that the committee rise shall always be in order, and shall always be decided without debate.

RECONSIDERATION.

46. No motion for reconsideration shall be in order, unless on the same day or the day following that on which the decision proposed

to be considered took place, nor unless one of the majority shall move such reconsideration. A motion for reconsideration being put and lost (except in case of privileged motions), shall not be renewed on the same day, nor shall any subject be a second time reconsidered on the same day without unanimous consent.

47. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk shall retain the said bill or joint resolution, until after the time during which the said motion can be made, unless the same shall have previously been disposed of.

48. An member who votes on that side of a question which prevailed, and which required two-thirds of the members present to carry the affirmative, may be at liberty to move for a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.

PREVIOUS QUESTION.

49. The previous question shall be in this form: Shall the main question be now put? It shall only be entertained when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the House to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

50. When the previous question is decided in the negative, it shall leave the main question under debate.

51. All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion or after the House shall have determined that the main question shall be now put, shall be decided, whether on appeal or otherwise, without debate.

ADMISSIONS TO THE FLOOR.

52. No person shall be admitted within the bar of the House but the Executive, ex-Governors, members of the Senate, the heads of Departments of the State Government, Judges of the Supreme Court, ex-members of the Legislature, representatives of the press, ladies, and such other persons as the House may from time to time direct,

provided, however, that any member may invite a single visitor to a seat on the floor of the House.

COMMITTEES.

53. The following standing committees, to consist of five members each, shall be appointed at the commencement of the session, unless otherwise ordered:

1. Finance, Ways and Means.
2. Judiciary.
3. Education.
4. Mines and Mining.
5. Agriculture.
6. Irrigation.
7. Stock.
8. Elections and Apportionment.
9. Manufactures.
10. Immigration.
11. Corporations.
12. Public Lands.
13. Fees and Salaries.
14. State Institutions.
15. Counties and County Lines.
16. Indian Affairs.
17. Military Affairs.
18. Roads and Bridges.
19. Public Buildings.
20. Federal Relations.
21. Claims.
22. Printing.
23. Appropriations and Expenditures.

And the following standing committees to consist of three members each:

A Committee of Engrossment.

A Committee of Enrollment.

54. The committee on engrossment shall examine all bills after they are engrossed and before their third reading, and report the same to the House as correctly engrossed. The committee on enrollment shall examine all bills, and report them to the House as correctly enrolled. Said committee may report at any time.

55. Select committees to whom reference shall be made shall in

all cases report a state of facts, and their opinion thereon to the House.

RULES.

56. The rules of parliamentary practice embraced in Cushing's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and joint rules of the Senate and House of Representatives.

57. No rule of the House shall be suspended, altered, or amended, without the concurrence of two-thirds of the members elected to the House.

JOINT RULES OF THE SENATE AND HOUSE.

1. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it was sent.

2. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

3. Messages shall be transmitted from one House to the other while both Houses are in session.

4. Neither House shall without the consent of the other adjourn for more than three days; nor to any other place than that in which the two Houses shall be sitting.

5. After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House of Reprentatives, or of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the State for his approval.

6 When the bills are enrolled they shall be examined by a joint committee of two from the Senate and two from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and correcting any error that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

7. After examination and report each bill shall be signed in their respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

SENATE RULES.

8. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approba-

tion (it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Chief Clerk of the House in which the same did originate), and shall be entered on the journal of each House. The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the journal of each House.

9. No amendment to any bill by one House shall be concurred in by the other, nor shall the report of any committee of conference be accepted in either House, except by a vote of a majority of the members elected thereto, taken by ayes and noes, and the names of those voting be entered on the journal.

10. All orders, resolutions and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner be enrolled, examined and assigned, and shall be presented in the same manner and by the same committee, as provided in the case of bills.

11. Each House shall transmit to the other when requested, all the papers on which any bill or resolution shall be founded.

12. The presiding officer of the Senate shall preside at all conventions of the Houses.

13. Any three members may move a call of the convention.

14. When a bill or resolution shall have passed one House and shall be rejected by the other, notice thereof shall immediately be given to the House in which the same may have originated.

15. Bills appropriating moneys for the payment of officers of the Government shall be confined to that purpose exclusively, and no law shall embrace more than one subject, which shall be expressed in its title.

16. No joint rule of the Senate and House of Representatives shall be suspended, altered or amended without the concurrence of two-thirds of the members elected to each House.

CHRONOLOGICAL TABLE

OF THE PRINCIPAL POLITICAL AND OTHER EVENTS IN AMERICAN HISTORY, FROM THE DISCOVERY IN 1492 TO THE PRESENT TIME.

1492, August 3, Columbus sailed from Palos, Spain.
1492, October 12, Columbus discovered Guanahani.
1492, November 7, Columbus discovered Cuba.
1492, December 6, Hayti or Hispaniola discovered.
1493, January 16, Columbus returned to Spain.
1493, September 25, Columbus sails from Cadiz on his second voyage.
1493, December 8, Columbus lays the foundation of Isabella in Hispaniola, the first European town in the New World.
1494, May 5, Jamaica discovered.
1496, March 10, Columbus sails again for Spain.
1497, June 24, North America discovered by the Cabots.
1498, May 30, Columbus sails fron Spain on his third voyage.
1498, July 31, Trinidad discovered.
1498, August 1, South America discovered by Columbus.
1499, June 16, South America discovered by Americus Vespucius.
1500, Amazon river discovered by Pinzon.
1500, April 23, Brazil discovered by Cabval.
1502, May 11, Columbus sails on his last voyage.
1502, August 14, Bay of Honduras discovered by Columbus.
1504, September 2, Columbus returns to Spain.
1506, May 20, Columbus dies in his 59th year.
1508, St. Lawrence river first navigated by Aubert.
1512, April 2, Florida discovered by Juan Ponce de Leon.
1512, Baracoa, the first town in Cuba, built by Diego Velasquez.
1513, September 25, Pacific Ocean discovered by Vasco Nunez De Balboa.
1516, Rio de la Plata discovered by Juan Diaz de Solis.

1517, Patent granted by Charles V. for an annual import of 4,000 negro slaves to Hispaniola, Cuba, Jamaica and Puerto Rico.
1517, Yucatan discovered by Francis Hernandez Cordova.
1519, March 13, Cortes lands at Tabasco, in Mexico.
1519, April 22, Cortes arrives at San Juan de Ulloa.
1519, Vera Cruz settled by Cortes.
1519, November 8, Cortes enters Mexico.
1520, Montezuma dies.
1520, November 7, Straits of Magellan discovered by Ferdinand Magellan.
1521, August 13, Mexico taken by Cortes.
1522, Bermudas discovered by Juan Bermudez.
1525, First invasion of Peru by Pizarro and Almagro.
1528, Pizarro appointed governor of Peru.
1531, Second invasion of Peru by Pizarro.
1532, First colony founded in Peru by Pizarro.
1535, Chili invaded by Almagro.
1537, California discovered by Cortes.
1539, May 18, Ferdinand de Soto sails from Havana on an expedition for the conquest of Florida.
1541, August 6, Orellana explores the Amazon, and arrives at the ocean.
1545, Mines of Potosi, in South America, discovered.
1548, Platina discovered in the south of Mexico.
1563, Slaves first imported into the West Indies by the English.
1576, Elizabeth's and Frobisher's Straits discovered by Martin Frobisher.
1585, June 26, Virginia visited by Sir Walter Raleigh.
1586, Tobacco introduced into England by Mr. Lane.
1587, August 13, First Indian baptized in Virginia.
1602, May 15, Cape Cod named by Bartholomew Gosnold.
1602, May 21, Martha's Vineyard discovered by Gosnold.
1607, May 13, Jamestown, Virginia, founded.
1608, July 3, Quebec founded.
1609, Hudson river discovered by Henry Hudson.
1611, Lake Champlain discovered by Champlain.
1616, Baffin's Bay discovered by Baffin.
1617, Pocahontas dies in England.
1619, June 19, First General Assembly in Virginia.
1619, May 20, Long Island Sound first navigated by Dermer.
1620, August 5, Puritans sail from Southampton, England, for America.

1620, November 10, Puritans anchored at Cape Cod.
1620, November, first white child born in New England.
1620, December 11, first landing at Plymouth.
1620, December 25, first house built at Plymouth.
1620, Slaves first introduced into Virginia by the Dutch.
1621, May 12, first marriage at Plymouth.
1630, Boston settled.
1630, October 19, first general court of Massachusetts Colony holden at Boston.
1631, Delaware settled by the Swedes.
1632, First church built at Boston.
1633, First house erected in Connecticut, at Windsor.
1634, Maryland settled.
1634, Roger Williams banished from Massachusetts.
1636, Hartford, Conn., settled.
1636, Providence founded by Roger Williams.
1637, First synod convened at Newton (now Cambridge), Mass.
1638, New Haven founded.
1638, Harvard College founded.
1638, June 1, earthquake in New England.
1639, January 14, convention at Hartford, Conn., for forming a Constitution.
1639, April, first general election at Hartford.
1639, First printing press established at Cambridge, Mass., by Stephen Day.
1642, October 9, first commencement at Harvard College.
1643, May 19, union of the New England Colonies.
1646, First act passed by the general court of Mass. for the spread of the Gospel among the Indians.
1647, May 19, first General Assembly of Rhode Island.
1648, First execution for witchcraft.
1648, New London settled.
1650, Harvard College chartered.
1650, Constitution of Maryland settled.
1651, Navigation Act passed by Great Britain.
1652, First mint established in New England.
1654, Yale College first projected by Davenport.
1663, January 26, earthquake felt in New England, New Netherlands and Canada.
1664, August 27, surrender of New Amsterdam to the English.
1665, June 12, New York City incorporated.
1672, First copyright granted by Mass.

1673, Mississippi river explored by Marquette and Joliet.
1675, June 24, commencement of King Philip's war.
1676, August 12, death of King Philip.
1681, March 4, grant of Pennsylvania to William Penn.
1682, October 24, arrival of William Penn in America.
1682, Louisiana taken possession of by M. de la Sale.
1683, First Legislative Assembly in New York.
1683, Roger Williams dies, in his 84th year.
1686, First Episcopal Society formed in Boston.
1687, First printing press established near Philadelphia by William Bradford.
1688, New York and New Jersey united to New England.
1690, February 8, Schenectady burned by the French and Indians.
1690, First paper money issued by Massachusetts.
1692, William and Mary College, Virginia, chartered.
1693, Episcopal Church established at New York.
1693, First printing press established in New York by William Bradford.
1695, Rice introduced into Carolina.
1698, First French Colony arrive at the mouth of the Mississippi.
1699, Captain Kidd, the pirate, apprehended at Boston.
1700, Episcopal Church established in Pennsylvania.
1701, October, Yale College chartered and founded at Saybrook.
1702, Episcopal Church established in New Jersey and Rhode Island.
1703, Culture of silk introduced into Carolina.
1703, Duty of £4 laid on imported negroes, in Mass.
1704, Tonnage duty laid by Rhode Island on foreign vessels.
1704, Act "to prevent the growth of Popery," passed by Maryland.
1704, First newspaper (Boston News Letter) published at Boston, by Bartholomew Green.
1706, Bills of Credit issued by Carolina.
1709, First printing press in Connecticut, established at New London, by Thomas Short.
1711, South Sea Company incorporated.
1712, Free Schools founded in Charleston, Massachusetts.
1714, First schooner built at Cape Ann.
1717, Yale College removed from Saybrook to New Haven.
1718, Import duties laid by Massachusetts on English manufactures and English ships.
1719, First Presbyterian Church founded in New York.
1720, Tea first used in New England.
1721, Inoculation for small-pox introduced into New England.

1722, Paper money first issued in Pennsylvania.
1725, First newspaper in New York (the New York Gazette) published by William Bradford.
1726, First printing presses established in Virginia and Maryland.
1727, Earthquake in New England.
1730, First printing press and newspaper established at Charleston, South Carolina.
1732, Tobacco made a legal tender in Maryland at 1*d.* per pound, and corn at 20*d.* per bushel.
1732, February 22, George Washington born.
1732, First printing press and newspaper established at Newport, Rhode Island.
1733, Georgia settled.
1733, Freemasons' Lodge first held in Boston.
1727, Earthquake in New Jersey.
1738, College founded at Princeton, New Jersey.
1741, January 1, General Magazine and Historical Chronicle, first published by Benjamin Franklin.
1742, Faneuil Hall erected at Boston.
1750, First theatrical performance in Boston.
1754, Columbia College founded in New York.
1755, July 9, defeat of General Braddock.
1755, September 8, battle of Lake George.
1755, Earthquake in North America.
1755, First newspaper (Connecticut Gazette), published at New Haven.
1756, May 17, war declared with France by Great Britain.
1756, First printing press and newspaper established at Portsmouth, New Hampshire, by Daniel Towle.
1758, July 26, Louisburg taken by the English.
1758, August 27, Fort Frontenac taken by the English.
1758, November 25, Fort Du Quesne (now Pittsburgh), taken by the English.
1759, Ticonderoga taken by the English.
1759, September 18, Quebec taken by the English.
1761, March 12, earthquake in New England.
1763, February 10, treaty of peace, signed at Paris, between the English and French.
1763, First newspaper published in Georgia.
1764, March, right to tax American colonies, voted by House of Commons.
1764, April 5, first act for levying revenue passed Parliament.
1764, April 21, Louisiana ordered to be given up to Spain.

1765, Stamp act passed by Parliament.

1765, March 22, stamp act receives a royal assent.

1765, May 29, Virginia resolutions against the right of taxation.

1765, June 6, general Congress proposed by Massachusetts.

1765, October 17, Congress of twenty-seven delegates convenes at New York, and publishes a declaration of rights and resolutions against the stamp act.

1766, February, Dr. Franklin examined before the House of Commons, relative to the repeal of the stamp act.

1766, March 18, stamp act repealed.

1767, Tax laid on paper, glass, painters' colors, and teas.

1769, Dartmouth College incorporated; American Philosophical Society instituted at Philadelphia.

1770, March 5, Boston massacre.

1773, December 18, tea thrown overboard at Boston.

1774, March 31, Boston port bill passed; September 4, first Continental Congress at Philadelphia.

1774, Dr. Franklin dismissed from the post office.

1775, April 19, battle of Lexington; May 10, Ticonderoga taken by the Provincials.

1775, June 17, battle of Bunker Hill; July 2, General Washington arrives at Cambridge.

1775, December 13, resolution of Congress to fit out a navy of thirteen ships.

1775, December 31, assault on Quebec, and death of General Montgomery.

1776, March 17, Boston evacuated by the British; July 4, Declaration of Independence.

1776, August 27, battle of Long Island; September 15, British take possession of New York.

1776, October 28, battle of White Plains; November 16, capture of Fort Washington; December 26, battle of Trenton.

1777, January 3, battle of Princeton; August 16, battle of Bennington.

1777, September 11, battle of Brandywine; September 19, first battle of Stillwater.

1777, September 27, British army enters Philadelphia; October 4, battle of Germantown.

1777, October 7, second battle of Stillwater; October 17, surrender of the British army under Burgoyne.

1777, November 15, articles of confederation adopted by Congress, and finally ratified by the States; in March 1781, Maryland being the last State to adopt them.

1778, February 6, Treaty of alliance with France, ratified by Louis XVI.

1778, June 28, battle at Monmouth Court House; December 29, Savannah taken by the British.

1779, March 3, battle of Briar Creek; May 14, Norfolk taken by the British.

1779, June 20, battle of Stono Ferry.

1779, July 5–7, Fairfield and Norwalk, Conn., burned by the British.

1779, July 16, storming and capture of Stony Point by the Americans, under Wayne.

1779, July and August, Sullivan's expedition against the Indians on the Susquehanna.

1779, September 23, Paul Jones captures two British frigates.

1780, April 14, battle at Monck's Corner, South Carolina.

1780, May 6, battle on the Santee river.

1780, May 12, Surrender of Gen. Lincoln and American army at Charleston.

1780, July 12, French fleet and army arrive at Rhode Island.

1780, August 16, battle of Sanders Creek, near Camden.

1780, September 23, treason of Gen. Arnold, and arrest of Major Andre.

1780, October 2, Major Andre executed; battle of Kings Mountain.

1780, November 12, battle of Broad river; November 20, battle at Blackstock.

1780, December 20, war between England and Holland.

1781, Bank of North America established.

1781, January, expedition of the British, under Arnold, to Virginia.

1781, January 17, battle of the Cowpens; February, retreat of Gen. Greene in North Carolina.

1781, March 15, battle of Guilford Court House; April 25, battle of Hobkirks Hill, near Camden.

1781, August 14, American and French allied army, march from the Hudson river, near New York, to Virginia.

1781, September 6, burning of New London, by Arnold.

1781, September 8, battle of Eutaw Springs, and close of the campaign in South Carolina.

1781, October 19, surrender of Lord Cornwallis and the British army.

1782, February 27, resolutions of the House of Commons in favor of peace.

1782, March 20, resignation of Lord North, and accession of a Whig cabinet in England.

1782, April 19, independence of the United States acknowledged by Holland.
1782, June 24, last battle of the Revolutionary war, near Savannah, Georgia.
1782, August, death of Colonel John Laurens, of South Carolina.
1782, November 13, preliminary articles of peace between the United States and Great Britain, signed at Paris.
1783, January 20, preliminary treaties between France, Spain and Great Britain, signed at Versailles.
1783, Independence of the United States acknowledged by Sweden February 5; by Denmark, February 25; by Spain, March 24; and by Russia in July.
1783, April 11, peace proclaimed by Congress; April 19, announced to the army by Washington.
1783, September 3, definite treaty of peace signed at Paris.
1783, Proclamation for disbanding the army; November 2, Washington's farewell orders.
1783, November 25, New York evacuated by the British.
1784, First voyage from China to New York.
1785, July 9, and August 5, treaty with Prussia.
1786, Shay's insurrection in Massachusetts; September 20, insurrection in New Hampshire.
1787, September 17, federal constitution agreed on by convention.
1788, Federal constitution adopted by eleven States.
1789, March 4, George Washington elected President.
1789, April 30, inauguration of George Washington.
1790, District of Columbia ceded by Virginia and Maryland.
1790, May 29, constitution adopted by Rhode Island.
1791, March 4, Vermont admitted into the Union.
1791, Bank of the United States established.
1791, First folio Bible printed by Worcester of Massachusetts.
1792, June 1, Kentucky admitted into the Union.
1793, Washington re-elected President.
1793, Death of John Hancock.
1794, Insurrection in Pennsylvania.
1796, June 1, Tennessee admitted into the Union.
1796, December 7, Washington's last speech to Congress.
1797, March 4, John Adams inaugurated President.
1798, Washington re-appointed commander-in-chief.
1799, December 14, death of George Washington.
1800, Seat of Government removed to Washington.
1800, May 13, disbanding of the provisional army.

1801, March 4, Thomas Jefferson inaugurated President.
1802, July 20, Louisiana ceded to France by Spain.
1803, February 19, Ohio admitted into the Union.
1803, April 30, Louisiana purchased by the United States.
1803, August, Commodore Preble bombards Tripoli.
1805, June 3, treaty of peace with Tripoli.
1806, Expedition of Louis and Clark to the mouth of the Columbia.
1807, June 22, attack on the frigate Chesapeake.
1807, July 2, interdict to armed British vessels.
1807, November 11, British orders in council.
1807, December, 17, Milan decree.
1807, December 22, embargo laid by the American government.
1808, January 1, slave trade abolished.
1808, April 17, Bayonne decree.
1809, March 1, embargo repealed.
1809, March 4, James Madison inaugurated President.
1810, March 23, Rambouillet decree.
1811, May 16, engagement between the frigate President and Little Belt.
1811, November 7, battle of Tippecanoe.
1812, April 3, embargo laid for ninety days.
1812, June 19, proclamation of war (war declared June 18).
1812, June 23, British orders in council repealed.
1812, August 15, surrender of Gen. Hull.
1812, Action between the frigates Constitution and Guerriere.
1812, November, defeat at Queenstown.
1812, Action between the Frolic and Wasp.
1812, Action between the United States and Macedonia.
1812, April 8, Louisana admitted into the Union.
1813, April 27, capture of York Upper Canada.
1813, May 27, battle of Fort George.
1813, June 1. Chesapeake captured by the Shannon.
1813, September 10, Perry's victory on Lake Erie.
1813, October 5, battle of Thames.
1813, December 13, Buffalo burnt.
1814, March 28, action between the frigates Essex and Phœbe.
1814, July 5, battle of Chippawa.
1814, July 25, battle of Bridgewater.
1814, August, Washington City captured, and capitol burnt.
1814, August 9–11, Stonington bombarded.
1814, August 11, McDonough's victory on Lake Champlain.
1814, September 12, battle near Baltimore.

1814, December 24, treaty of Ghent signed.
1814, December 25, battle of New Orleans.
1815, February 27, treaty of Ghent ratified by the President.
1815, March, war declared with Algiers.
1817, March 4, James Monroe, inaugurated President.
1817, December 10, Mississippi admitted into the Union.
1818, December 3, Illinois admitted into the Union.
1819, December 14, Alabama admitted into the Union.
1820, March 15, Maine admitted into the Union.
1821, July 1, Jackson takes possession of Florida.
1821, August 10, Missouri admitted into the Union.
1821, First settlement of Liberia.
1824, March 13, convention with Great Britain for suppression of the slave trade.
1824, April 5, convention with Russia, in relation to the Northwest boundary.
1824, August 13, arrival of Gen. Lafayette.
1825, March 4, John Quincy Adams inaugurated President.
1825, September 7, departure of Gen. Lafayette.
1826, July 4, death of Presidents Adams and Jefferson.
1829, February 20, resolutions passed by the Virginia House of Delegates, denying the right of Congress to pass the tariff bill.
1829, March 4. Andrew Jackson inaugurated President.
1829, May 2, hail fell in Tuscaloosa, Alabama, to the depth of twelve inches.
1829, May 17, death of John Jay, Bedford, New York.
1829, September 15, slavery abolished in Mexico.
1829, November 9, separation of Yucatan from Mexico, and union with Republic of Central America.
1829, December 4, revolution commenced in Mexico.
1830, January 20, General Bolivar resigns his military and civil commissions.
1830, January 27, city of Guatemala nearly destroyed by earthquakes.
1830, April 4, Yucatan declares its independence.
1831, January 12, remarkable eclipse of the sun.
1831, July 4th, death of James Monroe.
1831, October 1, free trade convention at Philadelphia.
1831, October 26, tariff convention at New York.
1832, February 6, attack on Qualla Battoo, in Sumatra, by United States frigate Potomac.
1832, June 8, cholera breaks out at Quebec, in Canada; being its first appearance in America.

1832, August 27, capture of Black Hawk.
1832, September 26, University of New York organized.
1832, November, union and State rights convention of South Carolina.
1832, December 28, John C. Calhoun resigns the office of Vice-President.
1833, March 1, new tariff bill signed by the President.
1833, March 4, Andrew Jackson inaugurated President for a second term.
1833, March 11, State rights convention of South Carolina.
1833, March 29, Santa Anna elected President of Mexico.
1833, May 16, Santa Anna inaugurated President of Mexico.
1833, October 1, public deposits removed from the bank of the United States, by order of General Jackson.
1833, November 13, remarkable meteoric showers in the United States.
1834, March 28, vote of censure by the Senate against Gen. Jackson for removing the deposits.
1835, April 18, French indemnity bill passes the Chamber of Deputies.
1835, December 16, great fire in New York.
1836, April 21, battle of San Jacinto, in Texas.
1836, June 14, Arkansas admitted in the Union.
1836, December 15, burning of the general post office and patent office at Washington.
1837, January 26, Michigan admitted into the Union.
1837, March 4, Martin Van Buren, inaugurated President of the United States.
1840, January 19, Antarctic continent discovered by the United States exploring expedition.
1840, June 30, sub-treasury bill becomes a law.
1841, March 4, William Henry Harrison inaugurated President of the United States.
1841, April 4, death of President Harrison.
1841, August 9, sub-treasury bill repealed.
1841, August 18, bankrupt act becomes a law.
1843, March 3, bankrupt act repealed.
1843, June 17, Bunker Hill monument celebration.
1845, March 1, Texas annexed to the United States.
1845, March 3, Florida admitted into the Union.
1845, March 4, James K. Polk, inaugurated President.
1845, June 18, death of Andrew Jackson.

1845, December, 24, Texas admitted into the Union.
1846, May 8, battle of Palo Alto, on the Rio Grande.
1846, May 9, battle of Resaca de la Palma on the Rio Grande,
1846, May 13, proclamation of war existing with Mexico.
1846, June 18, United States Senate advise the President to confirm the Oregon treaty with Great Britain.
1846, July 28, new United States tariff bill passed.
1846, August 3, President Polk vetoes the river and harbor bill.
1846, August 6, revolution in Mexico in favor of Santa Anna.
1846, August 8, President Polk vetoes the French spoliation bill.
1846, August 10, Congress adjourns.
1846, August 18, Brigadier General Kearney, of the United States army, takes possession of Santa Fe.
1846, August 19, Commodore Stockton blockades the Mexican ports on the Pacific.
1846, September 21, 22, 23, battles of Monterey, Mexico.
1846, September 26, California expedition with Col. Stevenson's regiment of 780 officers and men, sails from New York.
1846, October 25, Tabasco in Mexico, bombarded by Commodore Perry.
1846, November 14, Commodore Conner takes Tampico.
1846, December 6, General Kearney defeats the Mexicans at San Pasqual.
1846, December 25, Colonel Doniphan defeats the Mexicans at Brazito, near El Paso.
1846, December 28, Iowa admitted into the Union.
1847, January 8, Mexican Congress resolves to raise fifteen millions of dollars on the property of the clergy for the war with the United States.
1847, January 8–9, battles of San Gabriel and Mesa, in California, fought by General Kearney, who defeats the Mexicans.
1847, January 14, revolt of the Mexicans in New Mexico against the United States authorities.
1847, January 24, battle of Canado, in New Mexico; Mexicans defeated by the Americans under Colonel Price.
1847, February 22–23, battle of Buena Vista—Mexicans 21,000 in number, under General Santa Anna, defeated by 4,500 Americans under General Taylor.
1847, February 28, battle of Sacramento—Colonel Doniphan, with 924 Americans defeats 4,000 Mexicans.
1847, March 1, General Kearney declares California a part of the United States.

1847, March 20, city and castle of Vera Cruz taken by the army and navy of the United States, under General Scott and Commodore Perry.

1847, April 2, Alvarado taken by the Americans under Lieutenant Hunter.

1847, April 18, battle of Cerro Gordo. Mexicans under Santa Anna defeated by the Americans under General Scott.

1847, April 18, Tuspan in Mexico taken by Commodore Perry.

1847, May 1, Smithsonian Institution at Washington, corner-stone laid.

1847, August 20, battle of Contreras and Churubusco, in Mexico. Mexicans defeated by Americans under General Smith, part of General Scott's command.

1847, August 31, new constitution of Illinois adopted by State Convention.

1847, September 8, battle of Molina del Rey, near the city of Mexico. The Americans under General Worth (part of Scott's command) defeated the Mexicans under General Santa Anna.

1847, September 12–14, battle of Chapultepec, near Mexico; the Americans, under Generals Scott, Worth, Pillow and Quitman, defeat the Mexicans under Santa Anna. General Scott and American army enter the city of Mexico on the 14th.

1847, September 13 to October 12, siege of Puebla, held by the Americans against the Mexicans. The latter repulsed by the former under Colonel Childs.

1847, October 9, the city of Huamantla, in Mexico, taken by the Americans under General Lane.

1847, October 20, part of Guayamas, in Mexico, bombarded and captured by the Americans.

1847, December 31, the several Mexican states occupied by the American army placed under military contributions.

1848, January 27, a national convention to nominate president and vice-president called by the Whig members of Congress. At an adjourned meeting it was resolved that the convention meet at Independence Hall, Philadelphia.

1848, February 18, by a general order, Major-General Scott turns over the command of the U. S. army in Mexico to Major-General Butler.

1848, May 22–26, the Democratic National Convention at Baltimore nominate General Louis Cass, of Michigan, for President, and General William O. Butler, of Kentucky, for Vice-President.

1848, May 25, Major-General Scott received by the municipal authorities of the city of New York.

1848, May 29, Wisconsin admitted into the Union.

1848, May 30, treaty of peace between the United States and Mexico, which had been signed at Guadalupe Hidalgo, February 2, 1848, afterwards modified at Washington, and confirmed by the Mexican Congress, ratified by the American commissioners, Sevier and Clifford, and Mexican minister of foreign relations, Don Luis de la Rosa. It was proclaimed in the United States July 4, 1848.

1848, June 7, 8, the Whig National Convention meet at Philadelphia, and on the second day, fourth ballot, nominate General Zachary Taylor for President, and, on second ballot, Hon. Millard Fillmore for Vice-President.

1848, June 22, 23, Democratic Convention at Utica, New York, nominate Martin Van Buren for President, and Henry Dodge (who declined June 29) for Vice-President.

1848, July 4, corner-stone of monument to General Washington, laid at the city of Washington, oration by Hon. Robert C. Winthrop, Speaker of the United States House of Representatives.

1848, August 13, Oregon territorial bill, with prohibition of slavery, passed by Congress.

1848, August 9, 10, Free Soil Convention at Buffalo nominate Martin Van Buren, of New York, for President, and Charles Francis Adams, of Massachusetts, for Vice-President. Sixteen states were represented by delegates.

1848, August 14, adjournment of the 30th Congress, first session.

1848, August 17, destructive fire at Albany, New York.

1848, September 9, destructive fire at Brooklyn, New York.

1848, November 7, presidential election.

1848, December 4, meeting of the 30th Congress, second session.

1848, December 6, Taylor and Fillmore elected President and Vice-President by the electoral colleges.

1849, March 5, inauguration of Zachary Taylor as President, and of Millard Fillmore as Vice-President, of the United States.

1849, May 15, the cholera breaks out in New York.

1849, May 17, great fire at St. Louis.

1849, August 11, General Taylor, president of the United States, issues his proclamation against the armed expedition fitting out for Cuba.

1849, August 21, citizens of Santa Fe county, New Mexico, meet to organize a territorial government.

1849, August 31, convention of delegates, called by General Riley, of the United States army, to frame a state constitution for California, meet at Monterey.

1849, September 4, California convention organize.

1849, October 10, annexation to United States memorial, at Mont real, Canada, signed by over 300 citizens of Canada.

1849, October 10, initial point of the boundary line between the United States and Mexico settled, and a monument with inscriptions erected Lat. 32 deg. 31 min. 59 sec. 58, and Long. 119 deg. 35 min. 0 sec. 15, west from Greenwich.

1849, October 16, convention of delegates from fourteen states in favor of a national railroad from the Mississippi to the Pacific, meet at St. Louis, and issue an address. Senator Douglas, of Illinois, presides.

1849, October 16, Mr. Chatfield takes possession of the island of Tigre, in the state of Honduras, in the name of the British Queen.

1849, November 1, the first territorial legislature of Minnesota closes its sitting of sixty days.

1849, November 19, the survey of the boundary line between Pennsylvania, Delaware and Maryland, comprising a greater part of Mason and Dixon's line, is completed.

1849, December 2, first session of 31st Congress commences.

1849, December 21, House of Representatives organized by the selection of Howell Cobb as speaker, on the sixty-third trial.

1850, January 9, the British government announce to Lord Elgin, Governor General of Canada, their determination to maintain the connection of Canada with Great Britain.

1850, January 15, the Hungarian exiles call on President Taylor, and the usual interchange of civilities takes place.

1850, January 19, the Spanish minister at Washington complains to the Secretary of State of the Cuban juntos at New York, New Orleans and Washington.

1850, February 12, the original manuscript of Washington's Farewell Address is sold at auction, by the heirs of Mr. Claypole, printer, and purchased by James Lenox, Esq., of New York, for $2,300.

1850, February 22, President Taylor attends the laying of the corner-stone of the Virginia monument to Washington, at Richmond.

1850, April 20, the people of Santa Fe county, New Mexico, hold a convention and request the military governor of New Mexico,

Col. John Monroe, to call upon the citizens to elect members for a convention to form a State constitution.

1850, April 27, Collins line of steam packets goes into operation. The steamer Atlantic sails from New York for Liverpool.

1850, May 7, a meeting of southern members of both Houses of Congress is held at Washington, and reports an address to the people of the Southern states.

1850, May 23, two vessels, the Advance and Rescue, fitted out by Mr. Henry Grinnell, of New York, to search for Sir John Franklin in the Arctic seas, sail from New York.

1850, June 3, a southern convention of delegates meet at Nashville, Tennessee, to consult on the slavery question agitated in the North and in Congress. They afterward issue an address, and adjourn, after a short session.

1850, June 14, great fire at San Francisco, California, destroys three hundred buildings.

1850, July 1, Governor Bell, of Texas, calls a special session of the legislature on the boundary question, to meet on the 12th of August.

1850, July 9, death of President Taylor; great fire in Philadelphia.

1850, July 31, railroad convention at Portland, Maine, in favor of a railroad to Halifax, through the British provinces.

1850, August 12, the legislature of Texas meet at Austin, and assume hostile attitude on the boundary question; which, however, is afterwards settled by the action of Congress.

1850, September 9, California admitted into the Union.

1850, September 9, Texas boundary bill passed by Congress.

1850, September 9, New Mexico and Utah bills passed.

1850, September 18, fugitive slave act passed.

1850, September 20, act for the suppression of the slave trade in the District of Columbia, passed.

1850, September 30, thirty-first Congress adjourns after a session of 302 days.

1850, October 7, Indiana convention, for amending the State Constitution, assembles at Indianapolis.

1850, October 14, Virginia convention, for amending the State Constitution, assembles at Richmond.

1850, October 23, a woman's rights convention is held at Rochester, Massachusetts.

1850, October 26, great union meeting at Dayton, Ohio.

1850, October 30, great union meeting at Castle Garden, New York.

1850, November 1, the mortal remains of the late President Taylor deposited in the family cemetery near Louisville, Kentucky.

1850, November 4, Maryland convention, to amend the State Constitution, meets at Annapolis.

1850, November 6, New Hampshire convention, to amend the State Constitution, meets at Concord.

1850, November 11, Southern States Rights Convention meets at Nashville, Tennessee.

1850, November 31, great union meeting at Philadelphia.

1850, December 16, great union meeting at Bath, Maine.

1851, April 25, President Fillmore issues his proclamation against Cuban expeditions.

1851, May 3, great fire at San Francisco, California. Nearly two thousand five hundred buildings destroyed, and several lives lost.

1851, May 8, South Carolina Southern Rights Convention meets at Charleston, and resolves for a dissolution of the Union.

1851, June 22, another great fire at San Francisco, which lays a large portion of the city in ashes.

1851. August 3, expedition against Cuba, under General Lopez, sails from New Orleans.

1851, August 29, convention of delegates at Lewis county, Oregon, memoralize Congress for a division of the territory into two governments.

1851, September 10, the steam-frigate Mississippi, by order of the United States government, received Kossuth, ex-Governor of Hungary, and suite on board, at the Dardanelles, from a Turkish frigate.

1851, October 22, President Fillmore issues his proclamation against a private military expedition against Mexico.

1851, November 10, the United States steamer Mississippi arrives in New York with the exiled companions of Kossuth, forty-two in number, Kossuth having remained to visit England on his way to the United States.

1851, December 6, Kossuth, ex-Governor of Hungary, arrives in New York from England, and is honored with a public reception.

1851, December 24, library of Congress, at Washington, destroyed by fire.

1851, December 31, Kossuth formally received at Washington by President Fillmore.

1852, January 5, Kossuth publicly received by Congress.

1852, June 24, first national agricultural convention, representing twenty-two states, assembles at Washington.

1852, July 5, Louisiana convention, for revising the State Constitution, assembles at Baton Rouge.

1852, July 16, Kossuth leaves New York for Liverpool, on his return to Europe.

1852, August 31, thirty-second Congress, first session, adjourns.

1852, December 1, Mr. Everett, secretary of state, declines, on the part of the United States government, the tripartite convention respecting Cuba, proposed by England and France.

1852, December 20, William R. King, on account of ill health, resigns his office of president *pro tem.* of the Senate.

1853, February 9, votes for President and Vice-President opened and counted in Congress. Pierce and King are declared duly elected for four years from March 4.

1853, February 25, President Fillmore convened the Senate, by proclamation, for twelve o'clock on the 4th of March, instead of eleven o'clock, as by a former proclamation, the present senate deeming that their term does not expire until noon of that day.

1853, March 4, inauguration of Franklin Pierce as President of the United States.

1853, March 24, William R. King is sworn in as Vice-President at Cumbre, near Matanzas, on the island of Cuba, Consul Sharkey administering the oath.

1853, April 30, Delaware state convention adopt a new constitution and adjourn after a session of fifty-five days. The constitution was rejected by the people October 11, 1853.

1853, May 4, Massachusetts state convention, to revise the constitution, meets at Boston. It adjourns August 1, having framed a state constitution, which was rejected by the votes of the people.

1853, June 6, a southern convention assembles at Memphis, Tennessee.

1833, June 21, Martin Koszta, a Hungarian refugee, who had declared his intentions to become a citizen of the United States, being seized by the officers of an Austrian brig-of-war in the harbor of Smyrna, in Turkey, is rescued by Captain Ingraham, of the United States sloop-of-war St. Louis.

1853, July 8, the United States expedition to Japan, under Commodore Perry, arrives at Japan. He lands on the 14th, and delivers to the Japanese authorities a letter to the emperor from the President of the United States, and a few days after

leaves the islands, intending to return to Japan the following year.

1853, July 14, the Crystal Palace, or exhibition of the arts of all nations, is opened at New York, in presence of the President of the United States and other dignitaries, attended by a large audience.

1853, August 29, Mr. Hulsemann, the Austrian minister at Washington, addresses a note to the American government, complaining of Captain Ingraham's conduct in the affair of the release of Koszta at Smyrna; to which the secretary of state, Mr. Marcy, afterward replied in justification of Capt. Ingraham.

1854, Treaty with Japan.

1854, Kansas-Nebraska bill passed.

1857, March 4, James Buchanan inaugurated President; John C. Breckinridge inaugurated Vice-President.

1858, May 11, Minnesota admitted into the Union.

1859, February 14, Oregon admitted into the Union.

1859, John Brown's raid on Harper's Ferry.

1860, December 20, Secession of South Carolina.

1860, Population of the United States 31,443,322.

1861, January 9, Secession of Mississippi.

1861, January 10, Secession of Alabama and Florida.

1861, January 19, Secession of Georgia.

1861, January 26, Secession of Louisiana.

1861, January 29, Kansas admitted into the Union.

1861, February 1, Secession of Texas.

1861, February 4, Southern Confederacy formed. Jefferson Davis elected President, and Alexander H. Stephens Vice-President of the Confederate States.

1861, March 4, Abraham Lincoln inaugurated President of the United States. Hannibal Hamlin inaugurated Vice-President.

1861, April 12, Fort Sumter fired upon.

1861, April 13, Fort Sumter surrendered.

1861, April 18, Harper's Ferry seized.

1861, April 21, Norfolk Navy Yard seized.

1861, April 25, Secession of Virginia.

1861, May 6, secession of Arkansas.

1861, May 20, secession of North Carolina.

1861, June 8, secession of Tennessee.

1861, July 5, battle near Carthage, Missouri.

1861, July 11, battle of Rich Mountain, Virginia.

1861, July 14, battle at Carrick's Ford, Virginia.

1861, July 20, Confederate Congress met at Richmond, Virginia.
1861, July 21, battle of Bull Run, Virginia.
1861, August 10, battle of Wilson's Creek, Missouri.
1861, August 29, forts at Hatteras Inlet captured.
1861, September 20, Lexington, Missouri, captured by the Confederates.
1861, October 21, battle at Ball's Bluff, Virginia.
1861, November 7, battle of Belmont, Missouri.
1861, November 7, Port Royal, South Carolina, captured.
1861, November 8, seizure of Mason and Slidell.
1862, February 6, capture of Fort Henry, Tennessee.
1862, February 8, capture of Roanoke Island, North Carolina.
1862, February 16, capture of Fort Donelson.
1862, May 7-8, battle of Pea Ridge, Arkansas.
1862, March 8, the Merrimac sinks the Cumberland and Congress.
1862, March 9, the Merrimac checked by the Monitor.
1862, March 14, capture of New Berne, North Carolina.
1862, March 23, battle at Winchester, Virginia.
1862, April 4, McClellan commenced his Peninsula campaign.
1862, April 7, battle of Shiloh.
1862, April 7, Island No. 10 captured.
1862, April 11, Fort Pulaski, Georgia, surrendered.
1862, April 25, New Orleans captured.
1862, April 25, Beaufort, South Carolina, captured.
1862, April 28, Forts St. Philip and Jackson, Louisiana, captured.
1862, May 4, capture of Yorktown, Virginia.
1862, May 5, battle of Williamsburg, Virginia.
1862, May 10, Norfolk, Virginia, captured by General Wool.
1862, May 30, Corinth, Mississippi, captured.
1862, May 31, and June 1, battle of Fair Oaks.
1862, June 3, Lee assumed command of the Confederate army before Richmond.
1862, June 6, surrender of Memphis, Tennessee.
1862, June 25, Seven Days battles commenced.
1862, August 9, battle at Cedar Mountain.
1862, August 30, second battle of Bull Run.
1862, September 5, Lee invaded Maryland.
1862, September 14, battle of South Mountain, Maryland.
1862, September 15, Stonewall Jackson captured Harper's Ferry.
1862, September 17, battle of Antietam.
1862, September 17, battle of Munfordsville.
1862, September 19, battle of Iuka, Mississippi.

1862, October 4, battle at Corinth, Mississippi.
1862, December 13, battle of Fredericksburg, Virginia.
1862, December 29, attack on Vicksburg, Mississippi.
1862, December 31, first battle of Murfreesboro, Tennessee.
1863, January 1, "Emancipation Proclamation."
1863, January 2, second battle of Murfreesboro.
1863, January 11, capture of Arkansas Post, Arkansas.
1863, April 7, naval attack on Fort Sumter.
1863, April 17 to May 1, Grierson's raid in Mississippi.
1863, May 1, battle at Port Gibson, Mississippi.
1863, May 2 and 3, battles at Chancellorsville, Virginia.
1863, June, Lee's second invasion of Maryland.
1863, June 20, West Virginia admitted into the Union.
1863, July 1–2, battle of Gettysburg, Pennsylvania.
1863, July 4, capture of Vicksburg.
1863, July 8, capture of Port Hudson, Louisiana.
1863, September 7, capture of Fort Wagner.
1863, September 10, Little Rock, Arkansas, captured.
1863, September 19–20, battle of Chickamauga, Georgia.
1863, November 18, Knoxville, Tennessee, besieged.
1863, November 24, battle of Lookout Mountain.
1863, November 23–25, battle at Chattanooga.
1863, November 25, battle at Missionary Ridge.
1863, December 3, siege of Knoxville raised.
1864, March and April, Red river expedition.
1864, April 20, Plymouth, North Carolina, captured by the Confederates.
1864, May 5–7, battle of the Wilderness, Virginia.
1864, May 7–12, battles near Spottsylvania Court House.
1864, May 15, battle of Resaca, Georgia.
1864, May 25–28, battles near Dallas, Georgia.
1864, June 3, battle at Cold Harbor.
1864, June 15–17, battle of Lost Mountain, Georgia.
1864, June 19, the Alabama sunk by the Kearsarge.
1864, July 5, Early invaded Maryland.
1864, July 9, battle at Monocacy, Maryland.
1864, July 20–22–28, battles before Atlanta, Georgia.
1864, August 5, battle in Mobile Bay.
1864, September 2, Atlanta, Georgia, captured.
1864, September 19, battle at Winchester, Virginia.
1864, October 19, battle of Cedar Creek.
1864, October 31, Nevada admitted into the Union.

1864, November 14, Sherman left Atlanta for Savannah.
1864, November 20, Milledgeville, Georgia, captured.
1864, November 30, battle of Franklin, Tennessee.
1864, December 13, Fort McAllister, Georgia, captured.
1864, December 15–16, Hood defeated by Thomas at Nashville.
1864, December 21, Savannah, Georgia, captured.
1865, January 15, Fort Fisher, North Carolina, captured.
1865, February 17, Columbia, South Carolina, captured.
1865, February 18, Charleston, South Carolina, captured.
1865, February 22, Wilmington, North Carolina, captured.
1865, March 25, attack on Fort Steadman, Virginia.
1865, April 1, battle at Five Forks, Virginia.
1865, April 3, Petersburg and Richmond captured.
1865, April 9, Lee surrendered.
1865, April 13, Raleigh, North Carolina, captured.
1865, April 14, President Lincoln assassinated.
1865, April 15, Andrew Johnson (Vice-President), inaugurated President.
1865, April 26, surrender of Johnston's army.
1865, May 8, surrender of Taylor.
1865, May 26, Kirby Smith surrendered.
1866, Submarine telegraph laid.
1867, March 1, Nebraska admitted into the Union.
1867, October, Russian America purchased.
1868, President Johnson impeached and acquitted.
1868, Treaty with China.
1869, March 4, Ulysses S. Grant inaugurated President; Schuyler Colfax, inaugurated Vice-President.
1869, Pacific railroad completed.
1870, Population of the United States, 38,556,000.
1871, October 7–8–9, great fire in Chicago.
1872, Great fire in Boston.
1873, March 4, Grant re-inaugurated President; Henry Wilson inaugurated Vice-President.
1876, January 1, Fisk University, Nashville, Tennessee, dedicated.
1876, February 18, bill passed abolishing the death penalty in Maine.
1876, March 2. Secretary Belknap impeached.
1876, March 14. bill to reduce the President's salary, passed by the Senate.
1876, Mar. 22, the Republican State Convention assembled at Syracuse.
1876, Mar. 29, the Consular and Diplomatic appropriation bill passed by the United States Senate.

1876, April 10, silver currency bill passed by the Senate.
1876, April 14, statue to President Lincoln in Washington unveiled.
1876, April 15, Dom Pedro II, Emperor of Brazil, arrives in New York.
1876, May 10, the International Centennial Exhibition opened a Philadelphia by President Grant.
1876, May 17, Gen. Terry's expedition against Sitting Bull.
1876, June 4, arrival of the Jarrett and Palmer train in San Francisco from New York, in eighty hours and twenty minutes.
1876, June 14, the Sixth National Republican Convention met at Cincinnati.
1876, June 16, Gov. Rutherford B. Hayes, of Ohio, nominated at Cincinnati as candidate for President.
1876, June 22, battle at Rosebud Creek, between the Sioux and Gen. Crook's command.
1876, June 27, meeting of the Democratic National Convention in St. Louis.
1876, June 29, Samuel J, Tilden nominated for President by the Democrats at St. Louis.
1876, July 2, death of Gen. Custer with 300 of his command.
1876, July 4, Colorado admitted into the Union.
1876, August 1, Secretary of War Belknap acquitted by the court of impeachment at Washington.
1876, September 24, Hallett's Point Reef, at Hell Gate blown up by Gen. Newton.
1876, November 10, the Centennial Exhibition at Philadelphia closed.
1876, December 5, the Brooklyn Theater burned, nearly 300 people perished in the flames.
1877, March 4, Rutherford B. Hayes inaugurated President of the United States; William A. Wheeler inaugurated Vice-President.

UNITED STATES GOVERNMENT.

THE EXECUTIVE.

	SALARY.
Rutherford B. Hayes, of Ohio, President	$50,000
William A. Wheeler, of New York, Vice-President	8,000

THE CABINET.

	SALARY.
William M. Evarts, of New York, Secretary of State	8,000
John Sherman, of Ohio, Secretary of Treasury	8,000
George W. McCrary, of Iowa, Secretary of War	8,000
Richard M. Thompson, of Indiana, Secretary of Navy	8,000
Carl Schurz, of Missouri, Secretary of Interior	8,000
Charles Devens, of Massachusetts, Attorney General	8,000
D. M. Key, of Tennessee, Postmaster General	8,000

SUPREME COURT.

		DIS.
Morrison R. Waite, of Ohio	Chief Justice	4
Nathan Clifford, of Maine	Associate Justice	1
Ward Hunt, of New York	Associate Justice	2
William Strong, of Pennsylvania	Associate Justice	3
Joseph P. Bradley, of New Jersey	Associate Justice	5
Noah H. Swayne, of Ohio	Associate Justice	6
Samuel F. Miller, of Iowa	Associate Justice	7
Vacant	Associate Justice	8
Stephen J. Field, of California	Associate Justice	9

UNITED STATES ARMY ORGANIZATION.

GENERAL OFFICERS.

William T. Sherman	General.
Philip H. Sheridan	Lieut. General.

MAJOR GENERALS.

Winfield S. Hancock, | John M. Schofield, | Irvin McDowell.

BRIGADIER GENERALS.

George Crook, John Pope, | Oliver O. Howard, Alfred H. Terry, | E. O. C. Ord, Christopher C. Augur.

ADJUTANT GENERAL.

Edward D. Townsend, Brigadier General and Brevet Major General.

QUARTERMASTER GENERAL.

Montgomery C. Meigs, Brigadier General and Brevet Major General.

COMMISSARY GENERAL OF SUBSISTENCE.

Robert Macfeely, Brigadier General.

JUDGE ADVOCATE GENERAL.

W. McKee Dunn, Brigadier General.

SURGEON GENERAL.

Joseph K. Barnes, Brigadier General and Brevet Major General.

PAYMASTER GENERAL.

Benjamin Alvord, Brigadier General and Brevet Major General.

CHIEF ENGINEER

A. A. Humphreys, Brigadier General and Brevet Major General.

CHIEF OF ORDNANCE.

Stephen V. Benet, Brigadier General.

CHIEF SIGNAL OFFICER.

Albert J. Myer, Colonel and Brevet Brigadier General.

FORTY-FOURTH CONGRESS,

As constituted Jan. 1, 1877.

[Republicans are designated thus : r; Democrats thus : d ; Independents thus : i.]

SENATE.

THOMAS W. FERRY, of Michigan, President.

ALABAMA.

George Goldthwaite, d..... 1877
George E. Spencer, r..... 1879

ARKANSAS.

Powell Clayton, r 1877
Stephen W. Dorsey, r..... 1879

CALIFORNIA.

Aaron A. Sargent, r 1879
Newton Booth, i..... 1881

COLORADO.

Jerome B. Chaffee, r 1879
Henry M. Teller, r 1883

CONNECTICUT.

William H. Barnum, d.... 1879
William W. Eaton, d 1881

DELAWARE.

Eli Saulsbury, d 1877
Thomas F. Bayard, d..... 1881

FLORIDA.
Simon B. Conover, r 1879
Charles W. Jones, d..... 1881

GEORGIA.
Thomas M. Norwood, d... 1877
John B. Gordon, d..... 1879

ILLINOIS.
John A. Logan, r 1877
Richard J. Oglesby, r..... 1879

INDIANA.
Oliver P. Morton, r 1879
Joseph E. McDonald, d ... 1881

IOWA.
George G. Wright, r..... 1877
William B. Allison, r..... 1879

KANSAS.
James M. Harvey, r 1877
John J. Ingalls, r 1879

KENTUCKY.
John W. Stevenson, d. ... 1877
Thomas C. McCreery, d... 1879

LOUISIANA.
J. Rodman West, r 1877
Vacant 1879

MAINE.
Hannibal Hamlin, r..... 1881
James G. Blaine, r..... 1883

MARYLAND.
George R. Dennis, d..... 1879
William Pinkney Whyte, d. 1881

MASSACHUSETTS.
George S. Boutwell, r..... 1877
Henry L. Dawes, r 1881

MICHIGAN.
Thomas W. Ferry, r 1883
Isaac P. Christiancy, i..... 1881

MINNESOTA.
William Windom, r..... 1883
Samuel J. R. McMillan, r . 1881

MISSISSIPPI.
James L. Alcorn, r... 1877
Branch K. Bruce, r 1881

MISSOURI.
Louis V. Bogy, d 1879
Francis M. Cockrell, d.... 1881

NEBRASKA.
Phinneas W. Hitchcock, r.. 1877
Algernon S. Paddock, r.... 1881

NEVADA.
John P. Jones, r 1879
William Sharon, r 1881

NEW HAMPSHIRE.
Aaron H. Cragin, r 1877
Bainbridge Wadleigh, r.... 1879

NEW JERSEY.
Frederick Frelinghuysen, r. 1877
Theodore F. Randolph, d.. 1881

NEW YORK.
Roscoe Conklin, r 1879
Francis Kernan, d 1881

NORTH CAROLINA.
Mathew W. Ransom, d.... 1883
Augustus S. Merriman, d .. 1879

OHIO.
John Sherman, r..... 1879
Allen G. Thurman, d..... 1881

OREGON.
James K. Kelley, d..... 1879
John H. Mitchell, r..... 1881

PENNSYLVANIA.
Simon Cameron, r 1879
William A. Wallace, d 1881

RHODE ISLAND.
Henry B. Anthony, r..... 1883
Ambrose E. Burnside, r ... 1881

SOUTH CAROLINA.
Thomas J. Robertson, r ... 1877
John J. Patterson, r..... 1879

TENNESSEE.
Henry Cooper, d 1877
David McKendree Key, d.. 1881

TEXAS.
Morgan C. Hamilton, d ... 1877
Samuel B. Maxey, d 1881

VERMONT.
Justin S. Morrill, r..... 1879
George F. Edmunds, r 1881

VIRGINIA.
Robert E. Withers, d 1881
John W. Johnson, d 1883

WEST VIRGINIA.
Henry G. Davis, d 1877
Samuel Price, d..... 1881

WISCONSIN.
Timothy O. Howe, r..... 1879
Angus Cameron, r 1881

HOUSE OF REPRESENTATIVES.

ALABAMA.

1 Jere Haralson, r.
2 Jere N. Williams, d.
3 Taul Bradford, d.
4 Charles Hays, r.
5 John H. Caldwell, d.
6 Goldsmith W. Hewitt, d.
At large—W. H. Forney, d., Burwell B. Lewis, d.

ARKANSAS.

1 Lucien C. Gause, d.
2 William F. Slemmons, d.
3 William W. Wilshire, d.
4 Thomas M. Gunter, d.

CALIFORNIA.

1 William A. Piper, d.
2 Horace F. Page, r.
3 John K. Luttrell, d.
4 Peter D. Wigginton, d.

COLORADO.

James B. Belford, r.

CONNECTICUT.

1 George M. Landers, d.
2 James Phelps, d.
3 John T. Wait, r.
4 Levi Warner, d.

DELAWARE.

James Williams, d.

FLORIDA.

1 William J. Purman, r.
2 Jesse J. Finley, d.

GEORGIA.

1 Julien Hartridge, d.
2 William E. Smith, d.
3 Philip Cook, d.
4 Henry R. Harris, d.
5 Milton A. Candler, d.
6 James H. Blount, d.
7 William H. Felton, d.
8 Alexander H. Stephens, d.
9 Benjamin H. Hill, d.

ILLINOIS.

1 Bernard G. Caulfield, d.
2 Carter H. Harrison, d.
3 J. V. Le Moyne, d.
4 Stephen A. Hurlbut, r.
5 Horatio C. Burchard, r.
6 Thomas J. Henderson, r.
7 Alexander Campbell, i.
8 Grenbury L. Fort, r.
9 Richard H. Whiting, r.
10 John C. Bagby, d.
11 Scott Wike, d.
12 William M. Springer, d.
13 A. E. Stevenson, i.
14 Joseph G. Cannon, r.
15 John R. Eden, d
16 William A. J. Sparks, d.
17 William R. Morrison, d.
18 William Hartzell, d.
19 William B. Anderson, i.

INDIANA.

1 Benoni S. Fuller, d.
2 Andrew Humphreys, d.
3 Nathan T. Carr, d.
4 Jeptha D. New, d.
5 William S. Holman, d.
6 Milton S. Robinson, r.
7 Franklin Landers, d.
8 Morton C. Hunter, r.
9 Thomas J. Cason, r.
10 William S. Haymond, d.
11 James L. Evans, r.
12 Andrew H. Hamilton, d.
13 John H. Baker, r.

IOWA.

1 George W. McCrary, r.
2 John Q. Tufts, r.
3 L. L. Ainsworth, d.
4 Henry O. Pratt, r.
5 James Wilson, r.
6 Ezekiel S. Sampson, r.
7 John A. Kasson, r.
8 James W. McDill, r.
9 Addison Oliver, r.

KANSAS.

1 William A. Phillips, r.
2 John R. Goodin, d.
3 William R. Brown, r.

KENTUCKY.

1 Andrew R. Boone, d.
2 John Y. Brown, d.
3 Charles H. Milliken, d.
4 J. Proctor Knott, d.
5 Henry Watterson, d.
6 Thomas L. Jones, d.
7 J. C. S. Blackburn, d.

8 Milton J. Durham, d.
9 John D. White, r.
10 John B. Clarke, d.

LOUISIANA.

1 Randall L. Gibson, d.
2 E. John Ellis, d.
3 Chester B. Darrall, r.
4 William M. Levy, d.
5 William B. Spencer, d.
6 Charles E. Nash, r.

MAINE.

1 John H. Burleigh, r.
2 William P. Frye, r.
3 Edwin Flye, r.
4 Harris M. Plaisted, r.
5 Eugene Hale, r.

MARYLAND.

1 Philip F. Thomas, d.
2 Charles B. Roberts, d.
3 William J. O'Brien, d.
4 Thomas Swann, d.
5 Eli J. Henkle, d.
6 William Walsh, d.

MASSACHUSETTS.

1 William W. Crapo, r.
2 Benjamin W. Harris, r.
3 Henry L. Pierce, r.
4 Josiah G. Abbott, d.
5 Nathaniel P. Banks, i.
6 Charles P. Thompson, d.
7 John K. Tarbox, d.
8 William W. Warren, d.
9 George F. Hoar, r.
10 Julius H. Seelye, i.
11 Chester W. Chapin, d.

MICHIGAN.

1 Alpheus S. Williams, d.
2 Henry Waldron, r.
3 George Willard, r.
4 Allen Potter, d.
5 William B. Williams, r.
6 George H. Durand, d.
7 Omar D. Conger, r.
8 Nathaniel B. Bradley, r.
9 Jay A. Hubbell, r.

MINNESOTA.

1 Mark H. Dunnell, r.
2 Horace B. Strait, r.
3 William S. King, r.

MISSISSIPPI.

1 L. Q. C. Lamar, d.
2 G. W. Wells, r.
3 H. D. Money, d.
4 O. R. Singleton, d.
5 Charles E. Hooker, d.
6 John R. Lynch, r.

MISSOURI.

1 Edward C. Kehr, d.
2 Erastus Wells, d.
3 William H. Stone, d.
4 Robert A. Hatcher, d.
5 Richard P. Bland, d.
6 Charles H. Morgan, d.
7 John F. Phillips, d.
8 Benjamin J. Franklin, d.
9 David Rea.
10 R. A. De Bolt, d.
11 John B. Clark, jr., d.
12 John M. Glover, d.
13 Aylett H. Buckner, d.

NEBRASKA.

Lorenzo Crounse, r.

NEVADA.

William Woodburn, r.

NEW HAMPSHIRE.

1 Frank Jones, d.
2 Samuel N. Bell, d.
3 Henry W. Blair, r.

NEW JERSEY.

1 Clem H. Sinnickson, r.
2 Samuel A. Dobbins, r.
3 Miles Ross, d.
4 Robert Hamilton, d.
5 Augustus W. Cutler, d.
6 Frederick H. Teese, d.
7 A. A. Hardenbergh, d.

NEW YORK.

1 Henry B. Metcalf, d.
2 John G. Schumaker, d.
3 S. B. Chittenden, i.
4 Arch. M. Bliss, d.
5 Edwin R. Meade, d.
6 Samuel S. Cox, d.
7 David Dudley Field, d.
8 Elijah Ward, d.
9 Fernando Wood, d.
10 Abram S. Hewitt, d.
11 Benjamin A. Willis, d.
12 N. Holmes Odell, d.
13 J. O. Whitehouse, d.
14 George M. Beebe, d.
15 John H. Bagley, jr., d.

16 Charles H. Adams, r.
17 Martin I. Townsend, r.
18 Andrew Williams, r.
19 William A. Wheeler, r.
20 H. A. Hathorn, r.
21 Samuel F. Miller, r.
22 George A. Bagley, r.
23 Scott Lord, d.
24 William H. Baker, r.
25 E. W. Leavenworth, r.
26 C. D. McDougall, r.
27 Eldridge C. Lapham, r.
28 Thomas C. Platt, r.
29 Charles C. B. Walker, d.
30 John M. Davy, r.
31 George G. Hoskins, r.
32 Lyman K. Bass, r.
33 Nelson I. Norton, r.

NORTH CAROLINA.

1 Jesse J. Yeates, d.
2 John A. Hyman, r.
3 Alfred M. Waddell, d.
4 Joseph J. Davis, d.
5 Alfred M. Scales, d.
6 Thomas S. Ashe, d.
7 William M. Robbins, d.
8 Robert B. Vance, d.

OHIO.

1 Milton Sayler, d.
2 H. B. Banning, d.
3 John S. Savage, d.
4 John A. McMahon, d.
5 Americus V. Rice, d.
6 Frank H. Hurd, d.
7 Laurence T. Neal, d.
8 William Lawrence, r.
9 Early F. Poppleton, d.
10 Charles Foster, r.
11 John L. Vance, d.
12 Ansley T. Walling, d.
13 Milton I. Southard, d.
14 Jacob P. Cowen, d.
15 N. H. Van Vorhes, r.
16 Lorenzo Danford, r.
17 L. D. Woodworth, r.
18 James Monroe, r.
19 James A. Garfield, r.
20 Henry B. Payne, d.

OREGON.

Lafayette Lane, d.

PENNSYLVANIA.

1 Chapman Freeman, r.
2 Charles O'Neil, r.
3 Samuel J. Randall, d.
4 William D. Kelley, r.
5 John Robbins, d.
6 Wash Townsend, r.
7 Allen Wood, jr., r.
8 Heister Clymer, d.
9 A. Herr Smith, r.
10 William Mutchler, d.
11 Frank D. Collins, d.
12 William H. Stanton, d.
13 James B. Reilly, d.
14 John B. Packer, r.
15 Joseph Powell, d.
16 Sobieskie Ross, r.
17 John Reilly, d.
18 William S. Stenger, d.
19 Levi Maish, d.
20 Louis A. Mackey, d.
21 Jacob Turney, d.
22 James H. Hopkins, d.
23 Alexander G. Cochrane, d.
24 John W. Wallace, r.
25 George A. Jenks, d.
26 James Sheakley, d.
27 Albert G. Egbert, d.

RHODE ISLAND.

1 Benjamin T. Eames, r.
2 Latimer W. Ballou, r.

SOUTH CAROLINA.

1 Joseph Rainey, r.
2 C. W. Butts, r.
3 Solomon L. Hope, r.
4 Alexander S. Wallace, r.
5 Robert Smalls, r.

TENNESSEE.

1 William McFarland, d.
2 J. M. Thornburgh, r.
3 George G. Dibrell, d.
4 H. T. Riddle, d.
5 John M. Bright, d.
6 John F. House, d.
7 W. C. Whitthorne, d.
8 John D. C. Atkin, d.
9 W. P. Caldwell, d.
10 H. Casey Young, d.

TEXAS.

1 John H. Reagan, d.
2 David B. Culberson, d.
3 J. W. Throckmorton, d.
4 Roger Q. Mills, d.

5 John Hancock, d.
6 Gustave Schleicher, d.

VERMONT.

1 Charles H. Joyce, r.
2 Dudley C. Denison, i.
3 George W. Hendee, r.

VIRGINIA.

1 Beverly B. Douglas, d.
2 John Goode, jr., d.
3 Gilbert C. Walker, d.
4 W. H. H. Stowell, r.
5 George C. Cabell, d.
6 John R. Tucker, d.
7 John T. Harris, d.
8 Eppa Hunton, d,
9 William Terry, d.

WEST VIRGINIA.

1 Benjamin Wilson, d.
2 Charles G. Faulkner, d.
3 Frank Hereford, d.

WISCONSIN.

1 Charles G. Williams, r.
2 Lucien B. Caswell, r.
3 Henry S. Magoon, r.
4 William P. Lynde, d.
5 Samuel D. Burchard, d.
6 Alanson M. Kimball, r.
7 Jeremiah M. Rusk, r.
8 George W. Cate, d.

TERRITORIAL DELEGATES.

ARIZONA.
H. S. Stevens, i.

DAKOTA.
J. P. Kidder, r.

IDAHO.
Stephen S. Fenn, d.

MONTANA.
Martin Maginnis, d.

NEW MEXICO.
S. B. Elkins, r.

UTAH.
George Q. Cannon, i.

WASHINGTON.
Orange Jacobs, r.

WYOMING.
William R. Steele, d.

FORTY-FIFTH CONGRESS,

As constituted Feb. 1, 1877.

SENATE.

ALABAMA.
George E. Spencer, r..... 1879
John T. Morgan, d 1883

ARKANSAS.
Stephen W. Dorsey, r..... 1879
A. H. Garland, d..... 1883

CALIFORNIA.
Aaron A. Sargent, r..... 1879
Newton Booth, i 1881

COLORADO.
Jerome B. Chaffee, r 1879
Henry M. Teller, r..... 1883

CONNECTICUT.
James E. English, d..... 1879
William W. Eaton, d..... 1881

DELAWARE.
Thomas F. Bayard, d..... 1881
Democrat..... 1883

FLORIDA.
Simon B. Conover, r 1879
Charles W. Jones, d 1881

GEORGIA.
John B. Gordon, d..... 1879
Benjamin H. Hill, d 1883

ILLINOIS.
Richard J. Oglesby, r 1879
David Davis, i..... 1883

INDIANA.
Oliver P. Morton, r..... 1879
Joseph E. McDonald, d.... 1881

IOWA.		NEW JERSEY.	
William B. Allison, r.....	1879	Theodore F. Randolph, d..	1881
Samuel K. Kirkwood, r....	1883	John R. McPherson, d	1883
KANSAS.		NEW YORK.	
John J. Ingalls, r.....	1879	Roscoe Conklin, r	1879
Republican.....	1883	Francis Kernan, d	1881
KENUTCKY.		NORTH CAROLINA.	
Thomas C. McCreery, d...	1879	Augustus S. Merriman, d ..	1879
James B. Beck, d.....	1883	Mathew W. Ransom, d....	1883
LOUISIANA.		OHIO.	
————————	1879	John Sherman, r	1879
————————	1883	Allen G. Thurman, d.....	1881
MAINE.		OREGON.	
Hannibal Hamlin, r.....	1881	John H. Mitchell, r	1879
James G. Blaine, r.....	1883	Lafayette F. Grover, d....	1883
MARYLAND.		PENNSYLVANIA.	
George R. Dennis, d.....	1879	Simon Cameron, r	1879
William P. Whyte, d.....	1881	William A. Wallace, d	1881
MASSACHUSETTS.		RHODE ISLAND.	
Henry L. Davis, r	1881	Ambrose E. Burnside, r ...	1881
George F. Hoar, r	1883	Henry B. Anthony, r	1883
MICHIGAN.		SOUTH CAROLINA.	
Isaac P. Christiancy, r.....	1881	John J. Patterson, r.....	1879
Thomas W. Ferry, r	1883	David T. Corbin,* r	1883
MINNESOTA.		TENNESSEE.	
Samuel J. R. McMillan, r..	1881	James E. Bailey, d.....	1881
William Windom, r.....	1883	Democrat.....	1883
MISSISSIPPI.		TEXAS.	
Branch K. Bruce, r.....	1881	Samuel B. Maxey, d.....	1881
Lucius Q. C. Lamar, d ...	1883	Richard Coke, d.....	1883
MISSOURI.		VERMONT.	
Louis V. Bogy, d	1879	Justin S. Morrill, r.....	1879
Francis M. Cockrell, d .. .	1881	George F. Edmonds, r	1881
NEBRASKA.		VIRGINIA.	
Algernon S. Paddock, r....	1881	Robert E. Withers, d.....	1881
William Saunders, r.....	1883	John W. Johnson, d	1883
NEVADA.		WEST VIRGINIA.	
John P. Jones, r	1879	Frank Hereford, d	1881
William Sharon, r	1881	H. G. Davis, d	1883
NEW HAMPSHIRE.		WISCONSIN.	
Bainbridge Wadleigh, r....	1879	Timothy O. Howe, r.....	1879
Edward H. Rollins, r.....	1883	Angus Cameron, r	1881

*Seat contested by M. C. Butler (Democrat).

HOUSE OF REPRESENTATIVES.

ALABAMA.

1 Jones T. Jones, d.
2 Hilary A. Herbert, d.
3 Jere N. Williams, d.
4 Charles M. Shelly, d.
5 Robert F. Ligon, d.
6 G. W. Hewitt, d.
7 W. H. Forney, d.
8 William W. Garth, d.

ARKANSAS.

1 Lucien C. Gause, d.
2 William F. Slemons, d.
3 Henry B. Stuart, d.
4 Thomas M. Gunther, d.

CALIFORNIA.

1 Horace Davis, r.
2 Horace F. Page, r.
3 John K. Luttrell, d.
4 Peter D. Wigginton, d.*

COLORADO.

1 James B. Belford, r.

CONNECTICUT.

1 George M. Landers, d.
2 James Phelps, d.
3 John T. Wait, r.
4 Levi Warner, d.

DELAWARE.

1 James Williams, d.

FLORIDA.

1 William J. Purman, r.*
2 Horatio Bisbee, jr., r.*

GEORGIA.

1 Julien Hartridge, d.
2 William E. Smith, d.
3 Philip Cook, d.
4 Henry R. Harris, d.
5 Milton A. Chandler, d.
6 James H. Blount, d.
7 William H. Felton, d.
8 Alexander H. Stephens, d
9 Benjamin H. Hill, d.

ILLINOIS.

1 William Aldrich, r.
2 Carter H. Harrison, d.
3 Lorenz Brentano, r.
4 William Lathrop, r.
5 Horatio C. Burchard, r.
6 Thomas J. Henderson, r.
7 Philip C. Hayes, r.
8 Greenbury L. Fort, r.
9 Thomas A. Boyd, r.
10 John H. Hungate, d.
11 Robert M. Knapp, d.
12 William M. Springer, d.
13 Thomas F. Tipton, r.
14 Joseph G. Cannon, r.
15 John R. Eden, d.
16 F. M. Ashcraft, r.
17 William R. Morrison, d.
18 William Hartzell, d.
19 R. W. Townshend, d.

INDIANA.

1 Benoni S. Fuller, d.
2 James R. Cobb, d.
3 George A. Bicknell, d.
4 Leonidas Sexton, r.
5 Thomas M. Browne, r.
6 Milton S. Robinson, r.
7 John Hanna, r.
8 Morton C. Hunter, r.
9 Michael D. White, r.
10 William H. Calkins, r.
11 James G. Evans, r.
12 Andrew H. Hamilton, d.
13 John H. Baker, r.

IOWA.

1 J. C. Stone, r.
2 Hiram Price, r.
3 Thomas W. Burdick, r.
4 Nathan C. Deering, r.
5 Rush Clark, r.
6 Ezekiel S. Sampson, r.
7 H. J. B. Cummings, r.
8 William F. Sapp, r.
9 Addison Oliver, r.

KANSAS.

1 William A. Phillips, r.
2 Dudley Haskell, r.
3 Thomas Ryan, r.

KENTUCKY.

1 Andrew R. Boone, d.
2 James McKenzie, d.
3 John W. Caldwell, d.
4 J. Proctor Knott d.
5 Albert S. Willis, d.

*In controversy.

6 John G. Carlile, d.
7 J. C. S. Blackburn, d
8 Milton J. Durham, d.
9 Thomas Turner, d.
10 John B. Clarke, d.

LOUISIANA.

1 Randall L. Gibson, d.
2 E. John Ellis, d.
3 James H. Acklin, d.*
4 J. B. Elam, d.*
5 John E. Leonard, r.
6 Edward W. Roberts, d.*

MAINE.

1 Thomas B. Reed, r.
2 William P. Frye, r.
3 Stephen D. Lindsey, r.
4 Llewellyn Powers, r.
5 Eugene Hale, r.

MARYLAND.

1 Daniel M. Henry, d.
2 Charles B. Roberts, d.
3 William Kimmel, d.
4 Thomas Swann, d.
5 Eli J. Henkle, d.
6 William Walsh, d.

MASSACHUSETTS.

1 William W. Crapo, r.
2 Benjamin W. Harris, r.
3 Wallbridge A. Field, r.
4 Leopold Morse, d.
5 Nathaniel P. Banks, r.
6 George B. Loring, r.
7 Benjamin F. Butler, r.
8 William Claflin, r.
9 William W. Rice, r.
10 Amasa Norcross, r.
11 George D. Robinson, r.

MICHIGAN.

1 Alpheus S. Williams, d.
2 Edwin Willits, r.
3 J. H. McGowan, r.
4 Edwin W. Keighley, r.
5 John W. Stone, r.
6 Mark S. Brewer, r.
7 Omar D. Conger, r.
8 Charles C. Ellsworth, r.
9 Jay A. Hubbell, r.

MINNESOTA.

1 Mark H. Dunnell, r.
2 Horace B. Strait, r.
3 Jacob H. Stewart, r.

MISSISSIPPI.

1 H. L. Muldrow, d.
2 Van H. Manning, d.
3 H. D. Money, d.
4 O. R. Singleton, d.
5 Charles E. Hooker, d.
6 James R. Chambers, d.

MISSOURI.

1 Anthony Ittner, r.
2 Nathan Cole, r.
3 Lyne S. Metcalfe, r.*
4 Robert A. Hatcher, d.
5 Richard P. Bland, d.
6 Charles H. Morgan, d.
7 Thomas T. Crittenden, d.
8 Benjamin J. Franklin, d.
9 David Rea, d.
10 Henry Pollard, r.
11 John B. Clark, jr., d.
12 John M. Glover, d.
13 Aylett H. Buckner, d.

NEBRASKA.

Frank Welch, r.

NEVADA.

Thomas Wren, r.

NEW HAMPSHIRE.

1 Frank Jones, d.
2 James W. Briggs, r.
3 Henry W. Blair, r.

NEW JERSEY.

1 Clem H. Sinnickson, r.
2 J. Howard Pugh, r.
3 Miles Ross, d.
4 Alvah A. Clark, d.
5 Augustus W. Cutler, d.
6 Thomas B. Peddie, r.
7 A. A. Hardenbergh, d.

NEW YORK.

1 James W. Covert, d.
2 William D. Veeder, d.
3 S. B. Chittenden, r.
4 Arch M. Bliss, d.
5 Nicholas Muller, d.
6 Samuel S. Cox, d.
7 Anthony Eickhoff, d.
8 Anson G. McCook, r.
9 Fernando Wood, d.

*In controversy.

10 Abram S. Hewitt, d.
11 Benjamin A. Willis, d.
12 Clarkson N. Potter, d.
13 John H. Ketcham, r.
14 George M. Beebe, d.
15 Stephen L. Mayhan, d.
16 Terrence J. Quinn, d.
17 Martin I. Townsend, r.
18 Andrew Williams, r.
19 Amaziah B. James, r.
20 John H. Starin, r.
21 Solomon Bundy, r.
22 George A. Bagley, r.
23 William J. Bacon, r.
24 William H. Baker, r.
25 Frank Hiscock, r.
26 John H. Camp, r.
27 Eldrige C. Lapham, r.
28 Jeremiah W. Dwight, r.
29 John N. Hungerford, r.
30 E. Kirke Hart, d.
31 Charles B. Benedict, d.
32 Daniel N. Lockwood, d.
33 George W. Patterson, r.

NORTH CAROLINA.

1 Jesse J. Yeates, d.
2 Curtis H. Brogden, r.
3 Alfred M. Waddell, d.
4 Joseph J. Davis, d.
5 Alfred M. Scales, d.
6 Walter L. Steele, d.
7 William M. Robbins, d.
8 Robert B. Vance, d.

OHIO.

1 Milton Sayler, d.
2 H. B. Banning, d.
3 Mills Gardner, r.
4 John A. McMahon, d.
5 Americus V. Rice, d.
6 Jacob D. Cox, r.
7 Henry L. Dickey, r.
8 J. Warren Keifer, r.
9 John S. Jones, r.
10 Charles Foster, r.
11 Henry S. Neal, r.
12 Thomas Ewing, d.
13 Milton I. Southard, d.
14 E. B. Finley, d.
15 N. H. Van Vorhes, r.
16 Lorenzo Danford, r.
17 William McKinley, r.
18 James Monroe, r.
19 James A. Garfield, r.
20 Amos Townsend, r.

OREGON.

Richard Williams, r.

PENNSYLVANIA.

1 Chapman Freeman, r.
2 Charles O'Neil, r.
3 Samuel J. Randall, d.
4 William D. Kelley, r.
5 Alfred C. Harmer, r.
6 William Ward, r.
7 Isaac W. Evans, r.
8 Hiester Clymer, d.
9 A. Herr Smith, r.
10 Samuel A. Bridges, d.
11 Frank D. Collins, d.
12 Hindrick B. Wright, d,
13 James B. Reilly, d.
14 John W. Killinger, r.
15 Edward Overton, r.
16 John I. Mitchell, r.
17 Jacob H. Campbell, r.
18 William S. Stenger, d.
19 Levi Maish, d.
20 Levi A. Mackey, d.
21 Jacob Turney, d.
22 Russell Everett, r.
23 Thomas M. Boyne, d.
24 W. S. Shallenberger, r.
25 Henry White, r.
26 John M. Thompson, r.
27 Lewis F. Watson, r.

RHODE ISLAND.

1 Benjamin T. Eames, r.
2 Latimer W. Ballou, r.

SOUTH CAROLINA.

1 Joseph Rainey, r.
2 Richard H. Cain, r.
3 D. Wyatt Aiken, d.
4 John H. Evins, d.
5 Robert Smalls, r.

TENNESSEE.

1 James H. Randolph, r.
2 J. M. Thornburgh, r.
3 George C. Dibrell, d.
4 H. T. Riddle, d.
5 John M. Bright, d.
6 John F. House, d.
7 W. C. Whitthorne, d.
8 John D. C. Atkin, d.
9 W. P. Caldwell, d.
10 H. Casey Young, d.

TEXAS.
1 John H. Reagan, d.
2 David B. Culbersen, d.
3 J. W. Throckmorton, d.
4 Roger Q. Mills, d.
5 D. C. Giddings, d.
6 Gustave Schleicher, d.

VERMONT.
1 Charles H. Joyce, r.
2 Dudley C. Dennison, r.
3 George W. Hindee, r.

VIRGINIA.
1 Beverly B. Douglas, d.
2 John Goode, jr., d.
3 Gilbert C. Walker, d.
4 Joseph Jurgenson, r.
5 George C. Cabell, d.
6 John R. Tucker, d.
7 John T. Harris, d.
8 Eppa Hunton, d.
9 A. L. Pridemore, d.

WEST VIRGINIA.
1 Benjamin Wilson, d.
2 Benjamin F. Martin, d.
3 John E. Kenna, d.

WISCONSIN.
1 Charles G. Williams, r.
2 Lucien B. Caswell, r.
3 George C. Hazelton, r.
4 William P. Lynde, d.
5 Edward S. Bragg, d.
6 Gabriel C. Bouck, d.
7 H. L. Humphrey, r.
8 Thad C. Pound, r.

TERRITORIAL DELEGATES.

ARIZONA.
H. S. Stevens, d.

DAKOTA.
J. P. Kidder, r.

IDAHO.
Stephen S. Fenn.

MONTANA.
Martin Maginnis, d.

NEW MEXICO.
Trinidad Romero, r.

UTAH.
George Q. Cannon, i.

WASHINGTON.
Orange Jacobs, r.

WYOMING.
W. W. Corlett, r.

PRESIDENTS AND VICE-PRESIDENTS OF THE UNITED STATES.

PRESIDENTS.

Year of Qual.	Name.	Where From.	Term of Office. Y.	M.	D.
1789	George Washington	Virginia	8		
1797	John Adams	Massachusetts	4		
1801	Thomas Jefferson	Virginia	8		
1809	James Madison	Virginia	8		
1817	James Monroe	Virginia	8		
1824	John Quincy Adams	Massachusetts	4		
1829	Andrew Jackson	Tennessee	8		
1837	Martin Van Buren	New York	4		
1841	William Henry Harrison*	Ohio		1	
1841	John Tyler	Virginia	3	11	
1845	James Knox Polk	Tennessee	4		
1849	Zachary Taylor†	Louisiana	1	4	5
1850	Millard Fillmore	New York	2	7	26
1853	Franklin Pierce	New Hampshire	4		
1857	James Buchanan	Pennsylvania	4		
1861	Abraham Lincoln‡	Illinois	4	1	10
1865	Andrew Johnson	Tennessee	3	10	20
1869	Ulysses S. Grant	Illinois	8		
1877	Rutherford B. Hayes	Ohio			

VICE-PRESIDENTS.

Year of Qual.	Name.	Where From.
1789	John Adams	Massachusetts.
1797	Thomas Jefferson	Virginia.
1801	Aaron Burr	New York.
1804	George Clinton	New York.
1813	Elbridge Gerry	Massachusetts.
1817	Daniel D Tompkins	New York.
1824	John C Calhoun	South Carolina.
1833	Martin Van Buren	New York.
1837	Richard M. Johnson	Kentucky.
1841	John Tyler	Virginia.
1842	Samuel L. Southard	New Jersey.
1845	George M. Dallas	Pennsylvania.
1849	Millard Fillmore	New York.
1851	William R. King	Alabama.
1853	David R. Atchison	Missouri.
1855	Jesse D. Bright	Indiana.
1857	John C. Breckinridge	Kentucky.
1861	Hannibal Hamlin	Maine.
1865	Andrew Johnson	Tennessee.
1865	Lafayette C. Foster	Connecticut.
1869	Schuyler Colfax	Indiana.
1873	Henry Wilson‖	Massachusetts.
1875	Thomas W. Ferry	Michigan.
1877	William A. Wheeler	New York.

* Died in office April 4, 1841, when Vice President Tyler succeeded him.
† Died in office July 9, 1850, when Vice-President Fillmore succeeded him.
‡ Assassinated April 14, 1865, when Vice-President Johnson succeeded him.
‖ Died in office November 22, 1875

THE STATES AND TERRITORIES OF THE UNION.

Apportionment for Congressmen.			State Governments.						
States, (38)	Area, Sq. Mls.	Tot'l Mem.	Capitals.	Governors.	Term Expires.	Sal.	Legislatures Meet.	State Elections.
Alabama	50,722	8	Montgomery.	George S. Houston	Nov., 1879	$3,000	3 M. Nov.	1 Monday Aug.
Arkansas	52,198	4	Little Rock	William R. Miller.	Jan., 1881	3,500	†1 T. a. 2 M. Jan	†1 Monday Sept.
California.	188,981	4	Sacramento	William Irwin.	Dec., 1879	7,000	†1 M. Dec.	†1 Wed. Sept.
Colorado	105,000	1	Denver	*John L. Routt.	Jan., 1879	3,000	†1 W. Jan.	1 Tuesday Oct.
Connecticut	4,750	4	Hartford	Richard D. Hubbard	Jan., 1879	2,000	1 W. Jan.	† T. a 1 M. Nov.
Delaware	2,120	1	Dover	John P. Cochran	Jan., 1879	2,000	†1 Tu. Jan.	† T. a 1 M. Nov.
Florida	59,248	2	Tallahassee	George F. Drew.	Jan., 1881	3,500	†1 T. a. 1 M. Jan	† T. a 1 M. Nov.
Georgia	58,000	9	Atlanta	Alfred H. Colquitt.	Jan., 1881	4,000	†2 W. Jan.	†1 Wed. Oct.
Illinois	55,410	19	Springfield	*Shelby M. Cullom.	Jan., 1881	5,000	†1 M. Jan.	† T. a 1 M. Nov.
Indiana	33,800	13	Indianapolis.	James D. Williams	Jan., 1881	3,000	†1 W. Jan.	†2 Tuesday Oct.
Iowa	55,045	9	Des Moines	*Samuel J. Kirkwood.	Jan., 1878	2,500	†2 M. Jan.	†2 Tuesday Oct.
Kansas	88,318	3	Topeka	*George T. Anthony	Jan., 1881	3,000	†2 Tu. Jan.	† T. a 1 M. Nov.
Kentucky	37,680	10	Frankfort	James T. McCreary.	Sept., 1879	5,000	†1 M. Dec.	†1 Monday Aug.
Louisiana	41,346	6	New Orleans.	Francis T. Nicholls	Jan., 1881	8,000	1 M. Jan.	1 Monday Nov.
Maine.	35,000	5	Augusta	*Selden Connor.	Jan., 1878	2,500	1 W. Jan.	2 Monday Sept.
Maryland	11,124	6	Annapolis	John Lee Carroll	Jan., 1880	4,000	†1 W. Jan.	† T. a 1 M. Nov.
Massachusetts.	7,800	11	Boston	*Alexander H. Rice	Jan., 1878	5,000	1 W. Jan.	T. a 1 M. Nov.
Michigan	56,451	9	Lansing	*Charles M. Crosswell	Jan., 1881	1,000	†1 W. Jan.	† T. a 1 M. Nov.
Minnesota	83,531	3	St. Paul	*John S. Pillsbury	Jan., 1878	3,000	1 T. a. 1 M. Jan	T. a 1 M. Nov.
Mississippi	47,156	6	Jackson	John M. Stone	Jan., 1878	3,000	†1 M. Jan.	† T. a 1 M. Nov.
Missouri	65,350	13	Jefferson City	John S. Phelps	Jan., 1881	5,000	† Last M. Dec.	† T. a 1 M. Nov.
Nebraska	75,995	1	Lincoln	*Silas Garber	Jan., 1879	1,000	†1 Th a 1 M. Jan	†2 Tuesday Oct.
Nevada	81,539	1	Carson City	L. R. Bradley.	Jan., 1878	6,000	†1 M. Jan.	† T. a 1 M. Nov.
New Hampshire.	9,280	3	Concord.	*B. F. Prescott.	June, 1878	1,000	†1 M. June	2 Tuesday Mar.

* Republicans. † Biennially.

THE STATES AND TERRITORIES OF THE UNION—CONTINUED.

APPORTIONMENT FOR CONGRESSMEN.			STATE GOVERNMENTS.						
STATES. (38)	AREA, Sq. Mls.	TOT'L MEM.	CAPITALS.	GOVERNORS.	TERM EXPIRES.	SAL.	LEGISLATURES MEET.	STATE ELECTIONS.
New Jersey	8,320	7	Trenton	Joseph D Bedle	Jan., 1879	3,000	2 Tu. Jan.	T. a 1 M. Nov.
New York	47,000	33	Albany	Lucius Robinson	Jan., 1881	10,000	1 Tu. Jan.	T. a 1 M. Nov.
North Carolina	50,704	8	Raleigh	Zebulon B Vance	Jan., 1881	4,000	† W a. 1 M. Jan	† T. a 1 M. Nov.
Ohio	39,964	20	Columbus	*Thomas L. Young.	Jan., 1878	4,000	†1 M. Jan.	2 Tuesday Oct.
Oregon	95,274	1	Salem	Lafayette F. Grover	June, 1878	1,500	†2 M. Sept.	†1 Monday June
Pennsylvania	46,000	27	Harrisburg	*John F Hartranft.	Jan., 1879	10,000	†1 Tu. Jan.	T. a 1 M. Nov.
Rhode Island	1,306	2	Newp't & Pro	*—— Van Zandt	May, 1878	1,000	M. and Jan.	1 Wed. April.
South Carolina	34,000	5	Columbia	Wade Hampton.	Jan., 1881	3,500	4 M. Nov.	T. a 1 M. Nov.
Tennessee	45,600	10	Nashville	James D. Porter	Jan., 1878	4,000	†1 M. Jan.	† T. a 1 M. Nov.
Texas	274,356	6	Austin	Richard Coke	Jan., 1878	5,000	†2 Tu. Jan.	†3 Tuesday Feb.
Vermont	10,212	3	Montpelier	*Horace Fairbanks	Oct., 1878	1,000	†1 W. Oct	†1 Tuesday Sept.
Virginia	38,352	9	Richmond.	James L. Kemper	Jan., 1878	5,000	†1 W. Dec.	† T. a 1 M. Nov.
West Virginia	23,000	3	Wheeling	Henry M. Matthews	Mar., 1881	2,700	†2 W. Jan.	†2 Tuesday Oct.
Wisconsin	53,924	8	Madison	*Harrison Ludington	Jan., 1878	5,000	2 W. Jan.	T. a 1 M. Nov.
Total		293						

* Republicans. † Biennially.

TERRIT'S.	CAPITALS.	GOVERNORS.	TERRIT'S.	CAPITALS.	GOVERNORS.	TERRIT'S.	CAPITALS.	GOVERNORS.
Alaska	Sitka	Not organized.	Idaho.	Boise City.	Mason Brayman	Utah	Salt L. City	Geo. W. Emery.
Arizona.	Tucson	C. E. G. French.	Indian	Tahlaquah.	Not organized.	Washingt'n	Olympia.	Elisha P. Ferry.
Dakota	Yankton	J. L. Pennington	Montana	Helena	Benj. F. Potts.	Wyoming	Chevenne	John M. Thayer.
			N. Mexico	Santa Fe.	Sam. B. Axtell.			

FOREIGN GOVERNMENTS.

Country.	Capital.	Name of Ruler.	Title	Popular'n.	Sq. Mls.
Abyssinia	Magdala	Johannes I	King	40,000,000	175,000
Afghanistan	Candahar	Shere Ali	Shah	7,000,000	300,000
Anam (Cochin-China)	Ketcho	Tu Duc	King	13,500,000	600,000
Andorra	Andorra	A. Queradra	1st Syndic	22,000	190
Argentine Republic	Buenos Ayres	Senor Avellameda	President	1,077,500	1,000,000
Austria	Vienna	Francis Joseph I.	Emperor	35,919,058	258,000
Belgium	Brussels	Leopold II.	King	5,253,821	12,500
Beloochistan	Kelat	Mir Nasa Khan	Khan	2,000,000	160,000
Brazil	Rio de Janeiro	Pedro II	Emperor	10,200,000	3,000,000
Bokhara	Bokhara	Mozaffar ed. di	Khan	2,000,000	235,000
Bolivia	La Paz	Adolpho Ballivian	President	1,987,352	318,000
Borneo		Abdul Mumem	Sultan	1,750,000	300,000
Burman Empire	Monchoboo	Mendoonmen	King	8,000,000	200,000
Chili	Santiago	Errazuriz	President	2,074,000	144,000
China	Pekin	Tsaeteen	Emperor	415,000,000	5,300,000
Costa Rica	San Jose	J. M. Guardia	President	185,000	16,250
Dahomey	Dahomey	Adahoonzon	King	300,000	
Denmark	Copenhagen	Christian IX	King	1,861,000	14,616
Egypt	Cairo	Ismail Pasha	Khedive	5,800,000	175,800
Ecuador	Quito	Don Antonio Borrero	President	1,100,000	300,000
Fiji Islands	Ovalan	Ceded to Great Britain	King	250,000	
France	Paris	Marshal MacMahon	President	36,102,921	204,825
German Empire					
Prussia	Berlin	William	Emperor	30,000,000	746,042
Saxony and States					
Lubeck				52,158	5.21
Hamburg (Free towns)				122,565	4.76
Bremen				338,974	7 44
Bavaria	Munich	Ludwig II.	King	4,689,000	26,500
Wurtemberg	Stuttgart	Charles I	King	1,785,982	7,600
Baden	Carlsruhe	Frederic	Grand Duke	1,435,000	5,712
Hesse-Darmstadt	Darmstadt	Louis III	Grand Duke	852,000	13,964
Alsace-Lorraine (S. Cer'y)				1,549,459	25,706
Great Britain	London	Victoria	Queen	29,307,199	121,115
Greece	Athens	George I	King	1,457,894	19,050
Guatemala	Guatemala	Don I. Rufino Barrios	President	1,200,000	15,000

FOREIGN GOVERNMENTS—CONTINUED.

COUNTRY	CAPITAL.	NAME OF RULER.	TITLE.	POPULAT'N.	SQ. MLS.
Hayti	Port au Prince	Gen. B. Canal	President	960,000	11,718
Honduras	Comayague	Gen. J. M. Medina	President	350,000	47,090
Italy	Rome	Victor Emanuel II.	King	26,796,149	98,154
Japan	Tokio	Mutsuhito	Emperor	33,110,825	266,500
Khokan	Khokan	. . . . .	Khan	1,000,000	. . . .
Liberia	Monrovia	Jas. S. Payne	President	625,000	. . . .
Madagascar	Tananarivo	Ramavolo II.	Queen	3,000,000	225,000
Mexico	Mexico	Gen. Porfiris Diaz	President	9,173,052	846,615
Montenegro	Cetigne	Nicholas I.	Hospodar	100,000	450,000
Mosquito	Blewfields	Tamaso	King	. . . .	34,000
Morocco	Fez	Mulai Hassan	Sultan	7,000,000	25,000
Muscat	Muscat	Seyyed Toorkee bin Said	Imaum	1,500,000	176,000
Netherlands	Amsterdam	William III.	King	3,652,072	12,685
New Granada	Bogota	Don Santiago Perez	President	3,000,000	333,000
Nicaragua	Managua	Don Vicente Cuadra	President	235,000	57,000
Norway	Christiana	Oscar II. of Sweden	. . . .	1,753,000	121,000
Orange Free States	Bloem ontein	I. H. Brand	President	50,000	70,000
Paraguay	Asuncion	John B. Gil	President	1,400,000	85,000
Persia	Teheren	—— Nassir ed. Deen	Shah	8,000,000	648,000
Peru	Lima	Senor Manuel Prado	President	3,374,000	558,000
Portugal	Lisbon	Luis I.	King	4,435,000	34,491
Roumania	Bucharest	Charles	Hospodar	2,500,000	27,500
Russia	St. Petersburg	Alexander II.	Emperor	85,685,245	7,710,882
Sarawak	Kuching	Charles Brooke Santiago	Rajah	200,000	. . . .
Sandwich Islands	Honolulu	David Kalakaua	King	73,000	6,500
San Salvador	San Salvador	Senor Andres Valle	President	600,000	7,500
Servia	Belgrade	Milan Obrenovitch	Prince	1,338,505	12,600
Siam	Bang Kok	Char Fa Chule Long Korn	King	5,700,000	250,000
Spain	Madrid	Don Alfonzo XII.	King	16,641,984	193,508
Switzerland	Berne	M. Scherer	President	2,269,147	15,091
Sweden	Stockholm	Oscar II.	King	4,204,771	128,776
St. Domingo	San Domingo	Gen. Ig. Gonza ez	President	136,500	18,000,000
Turkey	Constantinople	Abdul Hamid II.	Sultan	45,000,000	2,210,000
Uruguay	Montevideo	Don Jose Ellauri	President	450,000	75,000
Venezuela	Caracas	A. Guzman Blanco	President	1,600,000	426,000

DIPLOMATIC OFFICERS OF UNITED STATES.

Country	Name	Title	Where Employed.	Salary.
Argentine Republic	Thomas O. Osborne	Minister Resident	Buenos Ayres	$ 7 500
Austria	Edward F. Blade	Envoy Ex and M. Plen	Vienna	12 000
Belgium	Ayres P. Merrill	Minister Resident	Brussels	7 500
Brazil	James R. Partridge	Envoy Ex. and M. Plen.	Rio Janeiro	12 000
Chili	Cornelius A Logan	Envoy Ex. and M. Plen.	Santiago	10 000
China	George F Seward	Envoy Ex and M. Plen.	Pekin	12 000
France	Elihu B. Washburne	Envoy Ex and M. Plen.	Paris	17 500
Great Britain	Edwards Pierrepont	Envoy Ex. and M. Plen.	London	17 500
Central American States	George Williamson	Minister Resident	Guatamala	10 000
Hawaiian Islands	Henry A. Pierce	Minister Resident	Honolulu	7 500
Hayti	E. D. Basset	Min. Res. and Con. Gen.	Pt. au Prince	7 500
Italy	George P. Marsh	Envoy Ex. and M. Plen.	Florence	12 000
Japan	John A. Bingham	Envoy Ex. and M. Plen.	Yeddo	12 000
Liberia	James M. Turner	Min. Res. and Con. Gen.	Monrovia	4 000
Mexico	John W. Foster	Envoy Ex. and M. Plen.	Mexico	12 000
Netherlands	James Birney	Minister Resident	The Hague	7 500
Peru	Richard Gibbs	Envoy Ex. and M. Plen.	Lima	10 000
German Empire	J. C. Bancroft Davis	Envoy Ex. and M. Plen.	Berlin	17 500
Russia	George H. Baker	Envoy Ex. and M. Plen	St. Petersburg	17 500
Spain	Caleb Cushing	Envoy Ex and M Plen.	Madrid	12 000
Sweden and Norway	C. C. Andrews	Minister Resident	Stockholm	7 500
Turkey	Horace Maynard	Minister Resident	Constantinople	7 500
Venezuela	Thomas Russell	Minister Resident	Caracas	7 500

POST-OFFICES IN COLORADO.

Corrected to June 1, 1877.

NOTE—Those printed in SMALL CAPITALS indicate County Seats.

POST-OFFICE.	COUNTY.
Acequia	Douglas.
Alma	Park.
Alpine	Lake.
Animas City	San Juan.
Animas Forks	San Juan.
Antelope Springs	Hinsdale.
Apishapa	Las Animas.
Arroya	Elbert.
Arvada	Jefferson.
Badito	Huerfano.
Bald Mountain	Gilpin.
Barela	Las Animas.
Barnum	Saguache.
Bear Canyon	Douglas.
Beaver Brook	Jefferson.
Bennet	Arapahoe.
Bent Canyon	Las Animas.
Beulah	Pueblo.
Big Sandy	El Paso.
Big Thompson	Larimer.
Bijou Basin	El Paso.
Bismark	Saguache.
Black Hawk	Gilpin.
Booneville	Pueblo.
BOULDER	Boulder.
Box Elder	Larimer.
BRECKINRIDGE	Summit.
Brookvale	Clear Creek.
Buffalo	Weld.
Buffalo Springs	Park.
Burrow's Park	Hinsdale.
Butte Valley	Huerfano.
Byers	Arapahoe.
CANON CITY	Fremont.
Capitol City	Hinsdale.
Caribou	Boulder.
Carr	Weld.
CASTLE ROCK	Douglas.
CENTRAL CITY	Gilpin.
Centreville	Lake.
Cherry Creek	Arapahoe.
Cheyenne Wells	Bent.
Cleora	Lake.
Coal Creek	Fremont.
Cochetopa	Saguache.
Colfax	Fremont.
Colorado City	El Paso.
COLORADO SPRINGS	El Paso.
CONEJOS	Conejos.
Corona	Weld.
Cotton Creek	Saguache.
Creswell	Jefferson.
Crisman	Boulder.
Cucharas	Huerfano.
Currant Creek	Fremont.
Deer Trail	Arapahoe.
Deer Valley	Park.
DEL NORTE	Rio Grande.
DENVER	Arapahoe.
Divide	Lake.
Douglas	Douglas.
Dudley	Park.
Eagle Rock	Boulder.
Easton	El Paso.
Edgerton	El Paso.
Elbert	Elbert.
Elmoro	Las Animas.
El Paso	El Paso.
Empire City	Clear Creek.
Erie	Weld.

POST-OFFICE.	COUNTY.
Estes Park	Larimer.
Eureka	San Juan.
Evans	Weld.
Evergreen	Jefferson.
Fairplay	Park.
Florence	Fremont.
Florrissant	El Paso.
Fort Collins	Larimer.
Fort Garland	Costilla.
Fort Lupton	Weld.
Fort Lyon	Bent.
Fountain	El Paso.
Franktown	Douglas.
Fraser	Grand.
Galena	Fremont.
Gardener	Huerfano.
Georgetown	Clear Creek.
Glen Grove	Douglas.
Golden	Jefferson.
Gomer's Mills	Elbert.
Granada	Bent.
Granite	Lake.
Grant	Park.
Greeley	Weld.
Greenhorn	Pueblo.
Greenland	Douglas.
Greenwood	Fremont.
Gunnison	Lake.
Hahn's Peak	Routt.
Hall Valley	Park.
Hamilton	Park.
Hartsel	Park.
Hayden	Grand.
Helena	Lake.
Hermosa	La Plata.
Higbee	Bent.
Hillsborough	Weld.
Hortense	Lake.
Hot Springs	Ouray.
Hot Sulphur Springs	Grand.
Howardsville	San Juan.
Huerfano	Pueblo.
Hughes	Arapahoe.
Hugo	Elbert.
Hutchinson	Jefferson.
Idaho Springs	Clear Creek.
Island Station	Arapahoe.
Jackson	Pueblo.
Jamestown	Boulder.
Jennison	Hinsdale.
Julesburg	Weld.
Juniata	Pueblo.
Kester	Park.
Kiowa	Elbert.
Kit Carson	Bent.
Lajara	Conejos.
La Junta	Bent.
Lake City	Hinsdale.
La Porte	Larimer.
Lark Spur	Douglas.
Las Animas	Bent.
La Veta	Huerfano.
Left Hand	Boulder.
Lincoln City	Summit.
Linwood	Las Animas.
Little Thompson	Larimer.
Littleton	Arapahoe.
Livermore	Larimer.
Longmont	Boulder.
Los Pinos	San Juan.
Magnolia	Boulder.
Mahonville	Lake.
Malta	Lake.
Manitou	El Paso.
Mill City	Clear Creek.
Mineral Point	San Juan.
Modoc	Boulder.
Montezuma	Summit.
Monument	El Paso.
Morrison	Jefferson.
Muddy Creek	Pueblo.
Namaqua	Larimer.
Nederland	Boulder.
Nepesta	Pueblo.
New Liberty	Weld.
Ni Wot	Boulder.
Oro City	Lake.
Orodelfan	Boulder.
Osage Avenue	Pueblo.
Ouray	San Juan.
O. Z.	El Paso.
Parrott	La Plata.
Pella	Boulder.
Petersburg	Arapahoe.
Piedra	Rio Grande.
Pine Grove	Douglas.
Platte Valley	Weld.
Platteville	Weld.
Pleasant Valley	Fremont.
Poncho Springs	Lake.
Preston	Summit.
Pueblo	Pueblo.
Pulaski	Las Animas.

POST-OFFICE.	COUNTY.
Rito Alto	Saguache.
River Bend	Elbert.
Riverside	Lake.
Rock Cliff	Saguache.
Rock Ridge	Douglas.
Rock	Park.
Rocky Ford	Bent.
Rollinsville	Gilpin.
Rosita	Fremont.
Running Creek	Elbert.
Russell	Costilla.
SAGUACHE	Saguache.
Saint Charles	Pueblo.
Saint Mary's	Huerfano.
Saints John	Summit.
Salina	Boulder.
Sangre de Christo	Saguache.
San Isabel	Saguache.
San Jose	Las Animas.
San Juan	Hinsdale.
SAN LUIS	Costilla.
Santa Clara	Huerfano.
Sarinda	Weld.
Sedalia	Douglas.
Silver Plume	Clear Creek.
SILVERTON	San Juan.
South Fork	Rio Grande.
South Park	Park.
South Platte	Weld.
South Pueblo	Pueblo.
South Side	Bent.
Southwater	El Paso.
Spanish Bar	Clear Creek.
Spring Valley	Douglas.
Sterling	Weld.
Sugar Loaf	Boulder.
Summit	Rio Grande.
Summit Park	El Paso.
Sunshine	Boulder.
Table Rock	El Paso.
Tellurium	Hinsdale.
Texas Creek	Fremont.
The Meadows	Bent.
TRINIDAD	Las Animas.
Ula	Fremont.
Valmont	Boulder.
Villa Grove	Saguache.
Virginia Dale	Larimer.
Wagon Wheel Gap	Rio Grande.
WALSENBURG	Huerfano.
Ward District	Boulder.
Wareville	Ouray.
Warrantsville	Huerfano.
Wayside	Costilla.
Webster	Park.
Weissport	El Paso.
WEST LAS ANIMAS	Bent.
Wheatland	Larimer.
White Earth	Saguache.
White River	Summit.
Windsor	Routt.
Yorkville	Fremont.

COUNTIES OF COLORADO.

AREA, POPULATION AND VALUATION—1877.

County.	Area, Sq. Mls.	Population.	Valuation.
Arapahoe	4,860	28,000	$11,471,506
Bent	9,408	4,000	2,817,539
Boulder	794	12,000	2,883,393
Costilla	1,684	2,000	223,078
Conejos	2,554	2,000	80,871
Clear Creek	468	10,000	1,953,069
*Custer	774	. . .	. . . .
Douglas	833	3,500	1,122,469
El Paso	2,667	5,750	2,879,265
Elbert	6,270	1,500	1,684,502
Fremont	1,800	5,250	1,564,657
Gilpin	158	8,800	2,237,356
Grand	4,278	1,000	73,731
*Gunnison	11,066	. . .	. . . .
Huerfano	1,584	5,000	661,948
Hinsdale	1,528	4,000	94,708
Jefferson	792	5,500	1,920,443
Lake	1,640	2,300	395,361
Larimer	2,068	3,500	1,022,610
Las Animas	7,481	10,000	2,133,969
La Plata	4,095	800	84,858
*Ouray	2,333	. . .	. . . .
Park	1,842	4,500	779,805
Pueblo	2,384	6,500	3,850,466
Rio Grande	1,000	4,000	657,912
*Routt	7,266	. . .	. . . .
Summit	8,289	2,000	181,776
Saguache	3,640	2,500	710,348
San Juan	726	4,000	95,950
Weld	10,718	6,000	2,548,565
Total	105,000	144,900	44,130,205

The above valuations are the county assessments as required by law, and do not include mines which are not taxable for ten years.

*Organized from other counties by the General Assembly.

BIOGRAPHICAL SKETCHES

—OF THE—

COLORADO CONGRESSIONAL DELEGATION.

STATE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY

UNITED STATES SENATORS.

JEROME B. CHAFFEE, of Denver, Arapahoe county, was born in Niagara county, New York, April 17, 1825; he received an academic education; emigrated to the west when quite young and settled in Michigan, and afterwards in St. Joseph, Mo., where he engaged in banking; moved to Kansas in 1857, and located at Elmwood; came to Colorado in 1860, and settled in Gilpin county, where he became largely engaged in mining operations, and in 1861 began his public career as representative from that county to the first Territorial Legislature. In 1862 he was returned to the Legislature, and in 1864 again represented the county of Gilpin, and was chosen Speaker of the House. In 1865 he became interested in the First National Bank of Denver, of which he has since been the President. In the fall of this year he was chosen United States Senator of the proposed State of Colorado. September 13, 1870, he was elected delegate to Congress, and was re-elected in 1872. During his terms in Congress and long before, he labored incessantly to secure the admission of Colorado into the Union, and though failing several times, persisted in his efforts until the 38th State was created. In 1876, he was chosen United States Senator to the 44th and 45th Congresses. His term expires March, 1879.

HENRY M. TELLER, of Central City, Gilpin county, was born in Allegany county, New York, May 23, 1830. Attended school at Rushford Academy, and pursued his studies for a consider-

able time at the Allegany University. While obtaining his education, he taught school several terms, and for seven years taught and attended school alternately. At the age of twenty five he began the study of law under Judge M. Grover, of Angelica, New York, with whom he remained three years; removed to Morrison, Whiteside county, Illinois, in 1865, and began the practice of his profession, forming a copartnership with H. A. Johnson, Esq.; has been a Republican since 1856, and took an active part in the political campaign for Lincoln in 1860; came to Colorado in 1861 and settled in Central City, where he has since resided; his copartnership with Mr. Johnson, who had preceded him in 1860, was here renewed, which has since been dissolved by the return of Mr. Johnson to New York. In 1864 he entered into co-partnership with his brother, the Hon. Willard Teller; was chosen United States Senator by the General Assembly in December, 1876. His term expires March, 1883.

REPRESENTATIVE.

JAMES B. BELFORD, of Central City, Gilpin county, was born is Lewistown, Penn., September 28, 1837; was educated at Dickinson College; is by profession an attorney-at-law; was admitted to the bar in 1858; practiced law in Moniteau county, Missouri, until December, 1860; removed to White county, Indiana, where he was elected to the Legislature in 1866; came to Colorado in 1870, having been appointed judge of the Supreme Court; was re-appointed in 1874, and in 1876 was chosen Representative to the 44th and 45th Congresses. His term expires March, 1879.

THE EXECUTIVE OFFICERS.

TERMS EXPIRE JANUARY, 1879.

GOVERNOR.

JOHN L. ROUTT, of Denver, Arapahoe county, was born in Eddyville, Kentucky, April 25, 1827. His family emigrated to Illinois in 1833, and settled in Hancock county. At the age of thirteen, his mother being a widow in destitute circumstances, he was apprenticed to a carpenter and builder in Bloomington, where he resided until he came to Colorado. He had received the rudiments of an English education, but devoted the leisure hours of his apprenticeship to the improvement of his mind. He was married at the age of 19 to Miss Hester A. Woodson, who died in 1872. In 1860 he was elected sheriff of McLean county, and resigned eighteen months afterwards to enter the army. He enlisted in the 94th regiment Illinois volunteers, and soon rose to the rank of Captain, and subsequently to that of Lieutenant-Colonel. Upon his return home, at the close of the war, he was elected Treasurer of McLean county, an office the annual collections of which amounted to half a million dollars. After holding this position for two terms, he was appointed United States Marshal for the Southern district of Illinois, and in 1871 was appointed second Assistant Postmaster General. In 1874 he was married to Miss Leila Pickrell, of Decatur, Illinois. In February, 1875, he was appointed Governor of the Territory of Colorado, and performed the responsible duties of that position so acceptably that in 1876 he was elected the first Governor of the new State, receiving 14,154 votes against 13,316 for Bela M. Hughes, Democrat.

LIEUTENANT-GOVERNOR.

LAFAYETTE HEAD of Conejos, was born in Howard county, Missouri, April 19, 1825; received a common school education; enlisted in the second regiment Missouri volunteers, which distinguished itself in the Mexican war, in several battles which were fought in 1846, at La Canado, El Embuda, Taos and Santa Clara Springs. Upon

the expiration of his military service he settled in New Mexico, and in 1849 engaged in mercantile pursuits at Abiquiu. He was appointed United States Marshal for the Northern District of New Mexico, and held that position for nearly three years. In 1861 he was elected sheriff of Rio Arriba county for the term of two years. In 1853 he was elected Representative from Rio Arriba county to the Legislature, which convened at Santa Fe. In 1855 he was commissioned Lieutenant in Col. St. Vrain's regiment of volunteers, which served for six months against the Ute and Apache Indians. In 1856 he was elected from Taos to the Legislature and was subsequently chosen representative to fill the vacancy created in the Council by Benito Valdez, and was re-elected in 1857, and was chosen President of that body. In 1859 he was appointed special agent of the Ute and Apache Indians, and held that office for nine years. In 1874 he was elected from Conejos county to the Colorado Legislature as member of the Council. In 1875 he was chosen a delegate to the Constitutional Convention. In 1876, at the first State election, he was chosen Lieutenant-Governor, receiving 14,191 votes against 13,093 for Michael Beshoar, Democrat.

SECRETARY OF STATE.

William M. Clark, of Georgetown, Clear Creek county, was born in Highland, Chester county, Penn., May 1st, 1839. At an early age, his mother dying, he was placed in the care of his grand parents, to whom he owes his early training. Until his sixteenth year he attended the public schools, and then spent one year at a select school, and another year at the State Normal School at Millersville, Penn. He afterwards taught school until the summer of 1861, when he enlisted as a private in company "P," twenty-eighth regiment afterwards company "E," one hundred and forty-seventh regiment (Pa.) volunteers. He received several promotions, and was captain of his company when mustered out of service in July, 1865. His company served in the army of the Potomac, until after the battle of Gettysburg; with Hooker's corps, under Grant, in the west, until after the battle of Lookout Mountain; with Sherman's army in the campaign from Chattanooga to Atlanta, and in its march to the sea; and in the campaign from Savannah to Raleigh, which resulted in Johnston's surrender after the fall of Richmond. In the spring of 1866 he arrived in Clear Creek county, Colorado, where he has since resided. He engaged in mining and soon became a prominent citizen. In 1867 he was elected Superintendent of Schools, and was afterwards elected to the same office for two dif-

ferent terms. In the same year he was appointed Clerk of the District Court and Master in Chancery, and held these offices until 1874, when he was chosen to represent the counties of Clear Creek and Summit in the tenth session of the Territorial Legislature. Early in 1874, he was appointed Brigadier General of Colorado militia, which position he held until the last general election, having been re-appointed by Gov. Routt in 1875; he was elected a member of the Constitutional Convention and held the important position of Chairman of the Committee on Mines and Mining. At the Republican Convention in Pueblo, General Clark was nominated by acclamation for the office of Secretary of State, and the election returns evinced the wisdom of the Convention, as he ran largely ahead of his ticket in almost every county in the State, receiving 14,582 votes against 12,843 for James T. Smith, Democrat.

STATE TREASURER.

GEORGE C. CORNING, of Boulder, Boulder county, was born in Painesville, Ohio, on the second day of April, 1837; was educated at Kenyon College, Gambier, Ohio; is by occupation a banker; in 1868 organized the Bank of Topeka, at Topeka, Kansas, and for three years was president of that institution; came to Colorado in 1870, settled at Boulder and engaged in the banking business; in 1876 he was elected State Treasurer, receiving 14,038 votes against 13,310 for Thomas M. Field, Democrat.

STATE AUDITOR.

DAVID C. CRAWFORD, of Colorado Springs, El Paso county, was born in London, Canada West, September 5th, 1836. Shortly after the family migrated to Kalamazoo county, Michigan. Until his twelfth year he attended the public schools, and for two years after the Academy at Kalamazoo. Here until 1856 he occupied the position of clerk in a hardware store. He then moved to La Crosse, Wisconsin, and engaged in the jewelry business under the firm name of Stanley & Crawford; came to Colorado in May, 1860, and engaged in mining in Gilpin and Boulder counties, and in 1862 opened a general merchandise store in Musquito, Park county, and there continued his mining pursuits. In the summer of 1865, and the summer following, he cultivated a farm in Jefferson county. In the fall of 1867 he was elected Clerk and Recorder of Jefferson county, and was twice re-elected. In the fall of 1870 he was married to Miss Amanda J. Thornton, of Golden. Real estate and insurance claimed his attention until

1875, when he became the proprietor of the Crawford House at Colorado Springs. In October, 1876, he was elected State Auditor, receiving 14,117 votes against 13,295 for J. F. Benedict, Democrat.

ATTORNEY-GENERAL.

ARCHIBALD J. SAMPSON, of Canon City, Fremont county, was born near the town of Cadiz, Ohio, June 21, 1839. His early life was devoted to farming, a pursuit which his parents, who were of Irish-Welch descent, followed for a livelihood. He graduated at Mount Union College in 1861, and at once entered as a volunteer in an Ohio regiment to do battle for the preservation of the Union. He was soon promoted to a captaincy, but in 1864, at Hatcher's Run, Virginia, he was disabled for life and discharged from the service. He returned to Cadiz, and in 1864 was admitted to the bar, then entered the Cleveland Law School, at which he graduated in 1865. In 1866 he migrated to Missouri, and settled at Sedalia. On October 18th of this year, he married the daughter of Judge Allen C. Turner, of Cadiz, his native place. In 1872 he was unanimously nominated in Pettis county, Missouri, for the Legislature, but declined, preferring to continue the practice of his profession without interruption. He was attorney for the State Board of Education for the Fifth Congressional District of Missouri; in February, 1873, was nominated by the President and confirmed by the Senate United States Consul to Palestine, but again declined; was Presidential elector in Missouri in 1872; came to Colorado in 1874, and settled in Canon City, where he continued the practice of law until 1876, when he was elected Attorney-General, receiving 14,145 votes against 13,182 for G. Q. Richmond, Democrat.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

JOSEPH C. SHATTUCK, of Greeley, Weld county, was born at Marlborough, Cheshire county, New Hampshire, February 28, 1835. He attended Westminster Seminary, Vermont, and afterwards the Wesleyan University, Middletown, Conn., joining the class of '61, but left without completing the course; was married to Miss Hattie M. Knight, of Marlborough, August 17, 1858; went to Missouri and engaged in teaching; came to Colorado in 1870 with the Union Colony, of which he afterwards became vice-president and general manager, occupying that position from 1872 until November, 1876, when he resigned to assume the duties of his present office. He was elected to the Territorial Legislature of 1874, and in 1876 to the office of Superintendent of Public Instruction, receiving 14,304 votes against 12,473 for G. B. Groesbeck, Democrat.

COLORADO LEGISLATURE.

SENATE.

LAFAYETTE HEAD, Lt. Governor, President; GEO. T. CLARK, Secretary. The Senate consists of twenty-six members, who hold their office for four years and receive a compensation of four dollars for each day's attendance.

GEORGE T. CLARK (Rep)., of Denver, Arapahoe county, was born in Douglas, Worcester county, Mass., February 24, 1873; received a common school education; moved to Wisconsin in 1849, and to Colorado in the spring of 1860; was agent at Denver of the Western Stage Company and Henckley & Co.'s Express until 1861; was connected with Clark, Gruber & Co.'s Banking House and Mint, and was appointed Treasurer of the Territory of Colorado by Governor Gilpin; was also Treasurer of Arapahoe county and the city of Denver in 1863, and became partner in the banking house of Clark & Co.; was a member of the Constitutional Conventions of 1864–5; was elected Mayor of Denver in 1865, and with Hon. Jerome B. Chaffee, organized the First National Bank of Denver, of which he was Cashier, until October 1, 1866, when he took charge of the banking house of George T. Clark & Co, at Central and Georgetown. He was Assistant Secretary of the Legislative Council of 1870, and was appointed Territorial Treasurer by Gov. McCook, and re-appointed in 1872; was delegate to every Republican Convention held in the Territory; was Secretary of the State Republican Central Committee in the campaign of 1876, and was chosen Secretary of the Senate November 1, 1876.

First District consists of Weld county. Population, 6,000.

SILAS B. A. HAYNES (Rep)., of Greeley, was born in Livermore, Androscoggin county, Maine, September 30, 1828; received his education at the Monmouth Academy and at the Maine Wesleyan Seminary; is by profession an attorney-at-law; migrated to Wisconsin and settled at Green Bay, where he became associated in his profes-

sion with James Howe, Esq., afterwards Attorney-General of that State. At the commencement of the war of the rebellion he entered the army, receiving an appointment in the paymaster's department with the rank of Major, and was mustered out of service with the rank of Lieutenant-Colonel. He then made Milwaukee his home. Two years afterwards he was appointed an officer of the United States Senate, which position he held four years; came to Colorado in 1871 and located at Greeley; was Probate Judge of Weld county for three years; was elected to the Senate, receiving 742 votes against 498 for David C. Wyatt, Democrat.

Second District consists of Larimer county. Population, 3,500.

NORMAN H. MELDRUM (Rep)., of Fort Collins, was born in Caledonia, Livingston county, New York, October 11, 1841; he received a common school education. In 1861 he enlisted as a private in company B, 100th regiment, New York infantry; served under General McClellan through the Chickahominy campaign, and participated in the battles of Williamsburg, Fair Oaks and the Seven Days' Fight. He was subsequently commissioned second Lieutenant in the 21st regiment New York cavalry, and did service in the Shenandoah Valley; was aide on the staff of General Hunter during his raid to Lynchburg; shared in the valley campaigns under Sheridan, and was present in eighteen general engagements. At the close of the war he was ordered to Colorado, and was mustered out of service as Captain, July 13, 1866; was City Treasurer of Cheyenne in 1867, and Assessor of Larimer county for two years; was a member of the last Territorial Legislature, and on October 3, 1876, was elected to the First State Legislature, receiving 332 votes against 313 for William C. Stover, Democrat.

Third District consists of Boulder county, and has two Senators. Population, 12,000.

JAMES P. MAXWELL (Rep)., of Boulder, was born in Walworth county, Wisconsin, June 20, 1839; was educated at the Lawrence University, Wisconsin; is by occupation a civil engineer; came to Colorado in June, 1860; represented the county of Boulder in the Legislature of 1872, and again in 1874; was a member of the School Board for two years, and was appointed Deputy United States Land Surveyor in 1872, and still holds that position. In 1876 he was elected to the Senate of the first State Legislature, receiving 1,484 votes, against 1,039 for J. C. Hummel, Democrat.

Theodore O. Saunders (Rep)., of Sunshine, was born in Augusta, Kennebec county, Maine, August 5, 1810. Until his 22d year he attended at intervals the public schools and then entered Waterville College, Maine, but at the close of the second year, was obliged, through ill health, to desist from his studies. He spent nearly twenty years in Waterville, and was chosen Chairman of the Board of Selectmen, was Grand Treasurer and Grand Worthy Associate, and was offered the Patriarchship in the Order of the Sons of Temperance. During the war of the rebellion he enlisted as a private, but was shortly afterwards promoted to Orderly Sergeant, and served for nearly two years when he was discharged on account of sickness. He came to Colorado in 1866, and settled in Douglas county, where he held the office of Justice of the Peace for two years; was delegate to the Republican Convention at Boulder in 1876, and was nominated by that body as a candidate to represent the county of Boulder in the first State Legislature. On October the 3d, 1876, he was elected to the Senate, receiving 1,438 votes against 1,028 for A. D. Miles, Democrat.

Fourth District, consists of Gilpin county. Population 9,000.

Lewis C. Rockwell (Rep)., of Central City, was born in Esperance, Schoharie county, New York, in 1840; was educated at the High School in Beloit, Wisconsin; came to Colorado in 1862; is by profession an attorney-at-law; in 1869 he was appointed United States District Attorney for Colorado, which position he held for four years. In 1875 he represented the county of Gilpin in the Constitutional Convention, and in 1876 he was again chosen from Gilpin county to the Senate of the first State Legislature, receiving 1,011 votes against 757 for John C. McShane, Democrat.

Fifth District, consists of the counties of Gilpin, Summit and Grand. Population 11,800.

William W. Webster (Rep)., of Montezuma, was born in Wellington, Lorain county, Ohio, November 26, 1835; was educated at the public schools of his native State; is by occupation a stock-raiser and miner; came to Colorado in June, 1859; represented the county of Summit in the Legislature of 1866; was elected to the Council in 1868 of which he was the presiding officer. In 1870 he was again elected to the Council, and in 1872 to the House of Represen-

tatives. In 1875 he was chosen delegate to the Constitutional Convention, and in October 1876, was elected to the Senate, and now occupies the chair as president *pro tem.* of that body. He received 1,325 votes against 1,032 for David D. Belden, Democrat.

Sixth District, consists of Clear Creek county, and has two Senators. Population 10,000.

WILLIAM A. HAMILL (Rep)., of Georgetown, was born in England August 21, 1836; received a collegiate education partly in England and partly in the United States; is by occupation a miner; during the war was adjutant in the 156th regiment Pennsylvania volunteers; came to Colorado in July, 1865. In 1876, at the first State election, he was elected to the Senate, receiving 1,115 votes against 976 for Joseph Van De Voort, Democrat.

ALBERT JOHNSON, (Rep)., of Georgetown, was born in Berkshire county, Mass., in 1837. He attended a public school in Pittsfield, and completed his education at an academy in Stockbridge, Mass., having devoted much attention to civil and mining engineering, the profession he subsequently adopted. He removed from Pittsfield to the West in 1856, and settled in Evanston, near Chicago, and in 1857 located in Wisconsin, where he explored and established a post route and military road through the wilderness from Appleton to Lake Superior, and was elected to the offices of county clerk and county surveyor, and re-elected without an opposing vote. He married the youngest daughter of the Hon. Joel S. Fisk, of Green Bay, Wisconsin, and removed to Chicago, where he engaged in the insurance business. In 1866 he came to Colorado and settled in Georgetown, where he has been occupied as civil and mining engineer and deputy United States surveyor of mineral lands. He was a member of seven and chairman of two committees in the Senate, to which he was elected October, 1876, receiving 1,113 votes against 963 for Robert W. Steele, Democrat.

Seventh District, consists of Jefferson county. Population 5,500.

ALLISON H. DE FRANCE (Dem)., of Golden, was born in Mercer, Mercer county, Pennsylvania, August 5, 1835. He was educated at Alleghany College, Meadville, and at Westminster, New Wilmington, Penn.; is by profession an attorney-at-law, and was admitted to the bar in 1859; came to Colorado in June, 1861, and settled at Golden in 1868, where he pursued the practice of law; represented

the county of Jefferson in the Legislature of 1870; was a member of the Council in 1872, and was county attorney for one year. In October, 1876, he was elected to the Senate of the first General Assembly, receiving 565 votes against 559 for Joseph T. Boyd, Republican.

Eighth District, consists of Arapahoe county and has four Senators. Population 28,000.

JOSEPH E. BATES (Rep)., of Denver, was born in Ellington, Chautauqua county, New York, May 3, 1838; received an ordinary education; is a capitalist, and largely engaged in commercial pursuits; came to Colorado in 1860, and located in Denver, where he became alderman of the first ward, which position he held for four years; represented Arapahoe county in the Legislature of 1872, and while serving in this capacity was elected Mayor of Denver. He is President of the St. Louis Land and Mining Company, also of the Boulder Valley Coal Company, and of the Denver Brewing Company. In Oct., 1876, he was elected to the Senate of the first General Assembly, receiving 2,278 votes against 1,644 for A. J. Williams, Democrat.

LEWIS C. ELLSWORTH (Rep)., of Denver, was born in Troy, N. Y., June 30, 1832; was educated at Naperville, Ill.; removed to Chicago in 1852 where he followed the banking business; is a capitalist; came to Colorado in 1871, and located in Denver, where he engaged in the construction of the Denver Street Railway, of which he is now President. In 1875 he was elected delegate to the Constitutional Convention, and in 1876 he represented the county of Arapahoe in the Senate of the first General Assembly, receiving 2,345 votes against 1,615 for A. P. Hereford, Democrat.

ALFRED BUTTERS (Rep)., of Denver, was born in Penobscot county, Maine, May 27, 1836, and was educated in the common schools of his State, and at the Bucksport Seminary. At the age of twenty he became a teacher and was thus occupied in Kansas and Missouri for about three years; removed to Colorado in 1866 and engaged in stock-raising, and located in Denver in 1871. In 1874 he was elected to the Legislature from Arapahoe county; in 1876 he again represented the county of Arapahoe, and was chosen Speaker of the House. At the close of this session the House of Representatives, in testimony of their high appreciation of his services as Speaker, presented him with

a costly gold-headed cane and a silver tea set. In October, 1876, he was elected to the Senate of the first General Assembly, receiving 2,308 votes against 1,692 for Charles F. Leimer, Democrat.

HIRAM P. BENNET (Rep)., of Denver, was born in Carthage, Maine, September 2, 1826; received a common school education in Ohio; is an attorney-at-law. In 1852 he was elected to a judgship in western Iowa; moved to Nebraska Territory in 1854, and was elected a member of the Territorial Council; in 1858 he was re-elected to the Nebraska Legislature and made Speaker of the House; came to Colorado in September, 1859, and in 1861 was chosen a delegate to the Thirty-Seventh Congress; and in October, 1862, was re-elected to the Thirty-Eighth Congress. In 1869 he was appointed Postmaster at Denver, which position he held until 1874. In 1876 he was elected to the Senate, receiving 2,251 votes against 1,622 for Alonzo Rice, Democrat.

Ninth District, consists of the counties of Bent and Elbert. Population 5,500.

EUGENE GAUSSOIN (Dem)., of Higbee, was born in Liege, Belgium, July 5, 1812; received his education at the University of Liege, Anthenaeum of Brussels and School of Mines; is a mining engineer; was captain of artillery in Belgium; came to Colorado July, 1873. In 1876 he was elected to the Senate, receiving 508 votes against 355 for G. M. Woodworth, Republican.

Tenth District, consists of El Paso county. Population 5,750.

EDWIN S. RANDALL (Rep)., of Colorado Springs, was born at Mount Holly, Rutland county, Vermont, June 23, 1831; was educated at the University of Salem, and at the Washington Academy, Washington, New Hampshire; is a stock-raiser and the possessor of 11,000 acres of land; came to Colorado in the spring of 1859; was probate judge of El Paso county for four years. In 1876 he was elected to the Senate of the first General Assembly, receiving 709 votes against 395 for Rodney Quimby, Democrat.

Eleventh District, consists of Douglas county. Population 3,500.

JAMES F. GARDNER (Rep)., of Frankstown, was born in Attica,

New York, November 2, 1834; received a common school education; came to Colorado in June, 1859; was in the 3d regiment, called to serve one hundred days. In 1862 he was elected County Clerk of Douglas county, retaining the office for three years, and appointed postmaster at Frankstown, which position he still occupies. He was Treasurer of Douglas county from 1865 to 1871, and represented the counties of Arapahoe and Douglas in the Legislature of 1866, and Douglas county in 1872. In October 1876 he was elected to the Senate of the first General Assembly, receiving 294 votes against 282 for James M. Nimerick, Democrat.

Twelfth District consists of Park county. Population 4,500.

JAMES MOYNAHAN (Rep)., of Alma, was born in Greenville, Wayne county, Michigan; received a common school education and a full course at Bryant and Stratton's Commercial College; is by occupation a miner. During the war he entered the army as private, was promoted and mustered out of service as captain of the 27th Michigan infantry. He came to Colorado in August, 1876; was Commissioner of Park county for three years; was postmaster at Alma, and in 1876 resigned to enter upon his duties as State Senator, receiving 437 votes against 427 for James Y. Marshall, Democrat.

Thirteenth District consists of the counties of Lake and Saguache. Population 4,800.

JASON B. HALL (Rep)., of Villa Grove, was born in Williston, Chittenden county, Vermont; received a common school education; is by occupation a stock-raiser; represented Lake county in the Territorial Legislature of 1870, and in October, 1876, was elected to the Senate of the first General Assembly, receiving 496 votes against 445 for Joseph Hutchinson, Democrat.

Fourteenth District, consists of the county of Fremont. Population 5,250.

JAMES CLELLAND (Dem)., of Canon City, was born in Glasgow, Scotland, September 20, 1823; received a common school education, and is by occupation a merchant; came to Colorado in 1862; was a member of the Council in 1876, representing the counties of Fremont, Park, Lake and Saguache. In October, 1876 he was elected Senator to the first State Legislature, receiving 548 votes against 502 for M. N. Megrue, Republican.

Fifteenth District, consists of Pueblo county. Population, 6,500.

ISAAC W. HILL (Dem)., of Pueblo, was born in Rock Springs, Cecil county, Maryland, January 28, 1847; was educated at West-nottingham Academy, Maryland. At the age of nineteen he removed to the west, and engaged in the grain business at Litchfield, Illinois, where he remained one year. He was next employed by a wholesale grocery, and was connected with the branch house that followed the Kansas Pacific Railway, then in course of construction. At Fort Sheridan he formed a co-partnership with Thomas M. Field, and the new firm moved with the road until it reached Kit Carson, where they remained a short time. The firm then located at Colorado Springs, and finally removed to Pueblo. In October, 1876, he was elected to the State Senate, receiving 728 votes against 542 for James Rice, Republican.

Sixteenth District, consists of Huerfano county. Population 5.000.

WILLIAM B. HAMILTON (Dem)., of La Veta, was born in Westport, Jackson county, Mo., March 30, 1844; was educated at Westminster College, Fulton, Missouri; is a stock-raiser and dealer; came to Colorado, December, 1869; was postmaster at Spanish Peaks for three years. In October, 1876, he was elected to the Senate of the first General Assembly, receiving 548 votes against 447 for Fred. Walsen, Republican.

Seventeenth District consists of the county of Las Animas, and has two Senators.

DANIEL L. TAYLOR (Dem)., of Trinidad, was born in Cataraugus, Cataraugus county, New York, April 5, 1833; received a common school education, and is by occupation a stock-raiser; came to Colorado May 20, 1859; was Justice of the Peace in Las Animas county for six years, and Probate Judge for one term; in 1874 represented Las Animas county in the Territorial Council, and in October, 1876, was elected to the Senate of the first State Legislature, receiving 969 votes against 695 for Antonio Gutieres, Republican.

CASIMIRO BARELA (Dem)., of Barela, Colorado, was born in El Embuda, Rio Arriba county, N. M., March 4, 1847, and was educated at Mora, New Mexico, by the Rev. J. B. Salpointe; came to Color-

ado in 1867; is by occupation a merchant and stock-raiser. On his birthday, March 4, 1867, he was married; in 1870 was elected Assessor of Las Animas county; in 1872 and 1874 represented Las Animas county in the Territorial Legislature; in the fall of 1874 was elected Sheriff of Las Animas county; and in 1875 was chosen delegate to the Constitutional Convention. In October, 1876, he was elected to the Senate of the first General Assembly, receiving 1,186 votes against 577 for George R. Swallow, Republican.

Eighteenth District, consists of Costilla county. Population 2,000.

WILLIAM H. MEYER, (Rep.,) of San Luis, was born in Hanover, Germany, April 14, 1847; was educated at Osnabruck, Germany; migrated to America when fifteen years old and made a short stay at St. Louis; removed to New Mexico, and in July, 1866, came to Colorado and settled in Costilla county, where he was married; is by occupation a stock-raiser; was Clerk of the County and District Court for eight years; represented the counties of Conejos, Costilla and Saguache in the Territorial Legislature of 1870, and Conejos county in 1874; was a member of the Constitutional Convention in 1875; in October, 1876, he was elected to the Senate of the first State Legislature, receiving 349 votes against 97 for Augustine Lacome, Democrat.

Nineteenth District, consists of Conejos county. Population 2,500.

JUAN F. CHACON (Rep)., of Guadalupe, was born in New Mexico, October, 1837; received a common school education; is by occupation a stock-raiser and farmer; came to Colorado in October, 1855; in October, 1876, was elected to the Senate of the first General Assembly, receiving 321 votes against 225 for C. Valdez, Democrat.

Twentieth District, consists of the counties of Rio Grande, Hinsdale, San Juan and La Plata. Population 12,800.

HENRY HENSON (Rep)., of Wagon Wheel Gap, was born in Wayne county, Kentucky, Nov. 12, 1824; received a common school education; was Treasurer of Martin county, Indiana, for four years; came to Colorado April 19, 1860; represented Park county in the Territorial Legislature of 1864, and was also Justice of the Peace; in October, 1876, he was elected to the Senate of the first General Assembly, receiving 1,276 votes against 1,181 for John G. Taylor, Democrat.

HOUSE OF REPRESENTATIVES.

The House of Representatives consists of 49 members chosen biennially by counties.

Arapahoe county, has seven representatives. Population 28,000.

WEBSTER D. ANTHONY (Rep)., of Denver, was born in Union Springs, Cayuga county, New York, June 4, 1838; received a common school education; is at present engaged in the vocation of furnishing abstracts of titles to real estate; removed to the West in 1856, and located in Henry county, Illinois, where he engaged in the grain business; from thence to Leavenworth, Kansas, in 1858, where he was occupied in the office of register of deeds; came to Colorado in 1860, and was appointed private secretary to Lewis Ledyard Weld, Secretary of the Territory; in 1862 was private secretary to Gov. Evans, and in the same year was appointed clerk of the District Court, which office he held until 1864, when he resigned; in 1865 was elected to the offices of Treasurer of Arapahoe county and Collector of Taxes for Denver; in 1867 was elected County Clerk and Recorder, and was re-elected four times, his last term expiring in 1875; was Grand Master of Colorado A. F. & A. M. for two terms, and is now Grand Commander of Knights Templar of Colorado. In November, 1876, he was chosen Speaker of the House of Representatives, to which he was elected in October, receiving 2,339 votes against 1,642 for L. N. Greenleaf, Democrat.

GEORGE C. GRIFFIN, (Rep)., of Island Station, was born in East Haddam, Middlesex county, Connecticut, October 21, 1835; received a common school education; is by occupation a farmer and stock-raiser; came to Colorado October 10, 1859; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 2,292 votes against 1,635 for A. J. Bean, Democrat.

JOHN C. MAYER (Rep)., of Denver; was born in Baden, Germany, March 21, 1839; received a common school education; is a

hardware merchant by occupation; served in the army during the rebellion, and came to Colorado in 1866; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 2,280 votes against 1,627 for John Kerr, Democrat.

JOHN MCBROOM, (Rep)., of Denver, was born in Kentucky, July 26, 1822; was educated in the common schools of Montgomery county, Indiana; is a farmer by occupation; in 1843 moved to Missouri, and in 1846 to New Mexico, where he joined the United States army, and in connection with the quartermaster's department, took part in the Mexican war; in 1855 he served in the Indian war in the Southern part of Colorado, and in 1858 marched over the ground where the city of Denver now stands with the troops sent to fight the Mormons; was shortly after mustered out of service in which he had remained for twelve years, and returned to New Mexico; came to Colorado in 1858 and married in 1866; in October, 1876, was elected to the House of Representatives, receiving 2,298 votes against 1,642 for John G. Hoffer, Democrat.

ALFRED C. PHELPS, (Rep)., of Denver, was born in Woodville, Mississippi, December 4, 1842, received his education at the public schools and at the Illinois College; is an attorney-at-law, and was admitted to the bar in Illinois in 1867; during the war entered the military service in which he continued for three years; enlisted as a private and was promoted to the rank of first Lieutenant; removed to Colorado in May, 1872, located in Denver, where he engaged in the practice of his profession; in 1876 he was elected to the House of Representatives of the first State Legislature, receiving 2,304 votes against 1,652 for B. P. Smith, Democrat.

W. H. PIERCE (Rep)., of Denver, was born in Hudson, Summit county, Ohio, January 18, 1838. He graduated in the class of 1858 at the Western Reserve College, of which his father was for twenty-five years the presiding officer. He is by profession a civil engineer and surveyor, but is now largely engaged in mercantile pursuits. He came to Colorado August 31, 1861, and enlisted in the 2d regiment Colorado cavalry, and was mustered out of service as first Lieutenant. In October, 1876, he was elected to the House of Representatives, receiving 2,351 votes against 1,623 for Samuel E. Browne, Democrat.

ADOLPH SCHINNER (Rep)., of Denver, was born in Germany in 1831; received a common school education; is a stock raiser by occupation, and a printer by trade; came to Colorado in April, 1860; was Secretary of the School District for two years; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 2,322 votes against 1,683 for Thomas S. Clayton, Democrat.

Bent county. Population 4,000.

ROBERT M. MCMURRAY (Dem)., of Las Animas, was born in Jersey Shore, Lycoming county, Penn, December 27, 1824; received a common school education; is a merchant by occupation; came to Colorado in June 1859; was Treasurer of Bent county for two years, and filled other offices of less importance; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 424 votes against 252 for Frank Bingham, Republican.

Boulder county has four members. Population 12,000.

ISAAC CANFIELD (Rep)., of Erie, was born in Angelica, Allegany county, New York October 11, 1839; received a common school education; is proprietor and manager of the Rob Roy Coal Mine; in 1861 was interested in the oil business in Pennsylvania; came to Colorado in 1871; was appointed Chairman of the Committee of Ways and Means in the House of the first General Assembly, to which he was elected in October, 1876, receiving 1,553 votes against 1,095 for James Coin, Democrat.

DANIEL RANSOM (Rep)., of Longmont, was born in Woodstock, Windsor county, Vermont, October 17, 1813; received a common school education; is a farmer by occupation; at the age of eighteen engaged in mercantile business, and pursued that vocation to the close of 1873; was married in 1835; in 1840 was Colonel of militia; in 1850 removed to Wisconsin, thence to Chicago, where he resided nearly twenty years; and thence to Colorado in 1872; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,547 votes against 1,092 for Louis Herzinger, Democrat.

AZOR A. SMITH (Rep)., of Nederland, was born in Gratiot, Licking county, Ohio, August 25, 1829; was educated in Aurora, Illi-

nois; graduated at Rush Medical College, Chicago, in the year 1857; came to Black Hawk, Colorado, in 1859; in 1861 was appointed assistant Surgeon in the first Colorado infantry, and at the close of the war was mustered out of service as Surgeon; located in Lynn county, Kansas, and represented that county in the Legislature of 1867–8; afterwards practiced Medicine in Kansas City, Mo., and in 1870 returned to Colorado and engaged in mining in Gilpin and Boulder counties; was appointed physician for the Nederland Mining Company; was Assayer and then Superintendent of the Nederland Mill; in 1874, was Republican candidate for the Legislature, but was defeated; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,529 votes against 1,087 for James Stevens, Democrat.

GEORGE X. YOUNG (Rep)., of Erie, was born in Cuyahoga county, Ohio, September 21, 1832; received a common school education; is a farmer and stock raiser; migrated to Kansas in 1853, and in 1854 and 1855 resisted the bold attempts to establish slavery in that Territory; during the rebellion served as Lieutenant for two years; was afterwards Deputy Assessor of Idaho Territory; came to Colorado in 1870, and in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,550 votes against 1,073 for I. N. Field, Democrat.

Conejos county. Population 2,500.

Agapito Vigil (Rep)., of Conejos, was born in Taos, Taos county, New Mexico, September 18, 1833; received a common school education; represented the county of Mora in the Legislature of New Mexico, in 1859, and was Justice of the Peace in the same county; removed to Colorado and settled in Las Animas county, of which he was Assessor for two years; is by occupation a farmer and stock raiser; was elected to the House of Representatives in October, 1876, receiving 348 votes against 198 for Gerard Austin, Democrat.

Costilla county. Population 2,000.

MELITON ALBERTS (Rep)., of San Luis, was born in Taos, Taos county, New Mexico, January 11, 1848; received a common school education; is a stock raiser by occupation; was Assessor of Costilla county in 1871; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 336 votes against 103 for Felipe Chavez, Democrat.

Costilla and Conejos counties. Population 4,500.

D. ARCHULETA (Rep)., of Conejos, was born in Taos, Taos county, New Mexico, December 2, 1854; received a common school education in the Spanish language; came to Colorado, then Kansas Territory, in 1855; is a merchant by occupation; in October, 1876, was elected to the House of Representatives of the first General Assembly, of which he is the youngest member, receiving 402 votes against 381 for P. R. Trujillo, Democrat.

Clear Creek county, has four Representatives. Population 10,000.

P. E. MOREHOUSE (Rep)., of Georgetown, was born in Saratoga county, New York, October 18, 1835; was educated at Oberlin College, Ohio; is a teacher by profession, but now engaged in mining; during the war served two years in the quartermaster's department; came to Colorado in July, 1874; was Superintendent of Schools for Clear Creek county; in October 1876 was elected to the House of Representatives of the first General Assembly, receiving 1,085 votes against 1,020 for P. McCann, Democrat.

GEORGE A. PATTEN (Rep)., of Idaho Springs, was born in Surry, Hancock county, Maine, April 26, 1835; received a common school education; is by occupation a merchant; came to Colorado May 8, 1860; has been postmaster at Idaho Springs for five years; is now a member of the Town Board; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,092 votes against 970 for William Gibson, Democrat.

THEODORE F. SIMMONS (Rep)., of Georgetown, was born in Harford, Cortland county, New York, January 24, 1847; was educated at the High School, Beloit, Wisconsin; is by occupation a merchant, came to Colorado in April 1866; was Alderman of the city of Georgetown for four years; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,175 votes against 1,000 for W. W. Ware, Democrat.

T. JEFF. WATTS (Rep)., of Silver Plume, was born in Newville, Richland county, Ohio; received a common school education; is a miner by occupation; enlisted during the war in the 5th Iowa infantry

and took part in the siege of Vicksburg, and in the decisive battles of Iuka, Champion Hills, Missionary Ridge, second battle of Corinth, and many others of less importance; came to Colorado in 1869; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 1,113 votes against 988 for John Tomay, Democrat.

Douglas County. Population 3,500.

GEORGE A. LORD, (Dem)., of Pine Grove, was born in Lebanon, York county, Maine; received a common school education; is by occupation a farmer and stock raiser; came to Colorado June 21, 1861; was for two years School Superintendent, and afterwards Treasurer, of Douglas county; in October, 1876, was elected to the House of Representatives of the First General Assembly, receiving 292 votes against 285 for M. A. Latimer, Republican.

Elbert county. Population 1,500.

ANDREW D. WILSON, (Dem)., of Godfrey Station, was born in Weston, Platte county, Missouri, July 2, 1844; received a common school education; is a stock raiser by occupation; came to Colorado May 22, 1860; represented the counties of Elbert, Bent and Douglas in the last Territorial Legislature; in October, 1876, was elected to the House of Representatives of the First General Assembly, receiving 96 votes against 88 for A. L. Gleason, Republican.

El Paso county has two representatives. Population 5,750.

JOSEPH C. HELM, (Rep)., of Colorado Springs, was born in Chicago, Cook county, Illinois, June 30, 1848; during the war he served in the army corps investing Vicksburg and took part in the campaigns of the Cumberland and Potomac, and was taken prisoner and confined seventy-six days in Belle Isle. Upon his return home he attended the State University of Iowa and graduated for the legal profession. Before assuming the practice of law he spent three years in the public schools of Arkansas, one year as principal of the Van Buren School and two years as principal of the High School at Little Rock. He came to Colorado November 25, 1874. In 1876 he was elected to the House of Representatives of the first General Assembly of the State of Colorado, receiving 712 votes against 403 for James Knox, Democrat.

CHARLES WOODMAN KITTREDGE, (Rep)., of Florissant, was born in Portland, Maine, January 16, 1826; received a common school education; is by occupation a farmer and stock raiser; came to Colorado in 1872; during the Rebellion he entered the army as Captain of Company F, Seventh Iowa Infantry, and was afterwards promoted to the rank of Colonel of the Thirty-Sixth Iowa Infantry, and served with his command to the close of the war. He participated in the battles of Belmont, Shiloh and many others, and received his commission as Colonel for gallant and meritorious conduct in the field. In October, 1876, he was elected to the House of Representatives, receiving 701 votes against 400 for David McShane, Democrat.

Fremont county has two representatives. Population 5,250.

RICHARD IRWIN, (Dem)., of Rosita, was born in Montreal, Canada, September 30, 1841; received a common school education and attended the Commercial College at Montreal; came to Colorado in August, 1860; is by occupation a prospector. He was elected to the House of Representatives in October, 1876, receiving 520 votes against 510 for Thomas Thornton, Republican.

CHARLES R. SIEBER, (Dem)., of Rosita, was born in Prussia January 28, 1846; received a common school education; came to Colorado in 1865, and is by occupation a farmer and stock raiser. In October, 1876, he was elected to the House of Representatives of the first General Assembly, receiving 548 votes against 472 for Lewis Muhlebach, Republican.

Gilpin county has three representatives. Population 8,800.

H. JACOB KRUSE, (Rep)., of Central City, was born in Holstein, Europe, November 18, 1837; received a common school education; came to Colorado in July, 1860, and located in Central City, where he engaged in mercantile pursuits; was a member of the City Council and afterwards Mayor. In October, 1876, he was elected to the House of Representatives of the first General Assembly, receiving 1,112 votes against 747 for Frank Fossett, Democrat.

HENRY W. LAKE, (Rep)., of Black Hawk, was born in Tully, Onondaga county, New York, September 5, 1832; was educated at

the Homer Academy, New York, and afterwards taught school for three years; removed to Nebraska and engaged in the real estate business and was Clerk and Recorder of Nemaha county, in which he resided; came to Colorado in the spring of 1860 and settled at Black Hawk, of which city he was alderman for four years; is now largely engaged in mining and milling operations. In October, 1876, he was elected to the House of Representatives of the first State Legislature, receiving 999 votes against 765 for J. V. Kimber, Democrat.

AUSTIN C. MARSHMAN, (Rep)., of Nevada, Colorado, was born in Coshocton, Coshocton county, Ohio, February 3, 1847; received a common school education. During the war he served in the Second Ohio Artillery; came to Colorado in December, 1870; has been Secretary of the School Board of Gilpin county for over three years; is by occupation a merchant and miner; was elected to the House of Representatives of the first General Assembly, receiving 1,021 votes against 736 for Wm. H. Beverly, Democrat.

Grand county. Population 1,000.

JOHN H. STOKES (Dem)., of Hot Sulphur Springs, was born in Davidson county, Tennessee, August 10, 1848; received a common school education; is a merchant and miner by occupation; came to Colorado August 6, 1874; has been postmaster at Hot Sulphur Springs, and held other offices in Grand county; in October, 1876, was elected to the House of Representatives of the first General Assembly, receiving 101 votes against 69 for John A. Himebaugh, Republican.

Hinsdale county. Population 4,000.

WILLIAM H. GREEN, (Rep)., of Lake City, was born in Greenville, Sussex county, New Jersey, November 23, 1828; received a common school education; is a miner by occupation; came to Colorado in 1858; during the war served four years in the Second regiment Colorado cavalry; was Clerk and Recorder of Hinsdale county for three years; in October, 1876, was elected to the House of Representatives of the First General Assembly, receiving 411 votes against 364 for H. M. Woods, Democrat.

Huerfano county has two representatives. Population 5,000.

JOSEPH T. CHAVEZ (Dem)., of Gardner, was born in Taos,

Taos county, New Mexico; received a common school education; came to Colorado November, 1868; is a stock raiser by occupation; was Assessor of Huerfano county for four years. In 1876 was elected to the House of Representatives, receiving 576 votes against 385 for Juan B. Jaquez, Republican.

JOSE R. ESQUIBEL, (Dem)., of Walsenburg, was born in Embuda, Rio Arriba county, New Mexico, September 18, 1830; received a common school education; came to Colorado in October, 1857; is by occupation a stock raiser. In 1876 he was elected to the House of Representatives of the first State Legislature, receiving 606 votes against 369 for Thomas Sproull, Republican.

Jefferson county has two Representatives. Population 5,500.

MARTIN V. LUTHER (Dem)., of Morrison, was born in Valparaiso, Porter county, Indiana, January 10, 1837; graduated at the University of Valparaiso, is by profession an attorney-at-law, but is now engaged in farming and stock raising; was for two years school teacher in Porter and Lake counties, Indiana; came to Colorado in 1861; was for eight years Justice of the Peace of Jefferson county. In 1876 he was elected to the House of Representatives, receiving 568 votes against 551 for M. N. Everett, Republican.

GEORGE RAND (Dem)., of Golden, was born in Kings county Nova Scotia, June 26, 1837; received a common school education; migrated to Wisconsin in 1850, where he engaged in farming and dealing in lumber; came to Colorado March 7, 1865; is a stock raiser; represented the counties of Jefferson and Boulder in the last Territorial Legislature, and in October, 1876, was elected to the House of Representatives, receiving 577 votes against 551 for Levi Harsh, Republican.

Lake county. Population 2,300.

WILLIAM J. MCDERMITH (Dem)., of Oro City, was born in Fredericktown, Madison county, Missouri, December 8, 1835; received a common school education; is by occupation a stock raiser and merchant; came to Colorado in September, 1859; was elected to the Hous

of Representatives in 1876, receiving 255 votes against 201 for Thomas S. Wells, Republican.

La Plata county. Population 800.

JOHN MOSS (Dem)., of Parrott City, was elected in October, 1876, to the House of Representatives, receiving 110 votes against 46 for C. C. Gaines, Republican.

Larimer county. Population 3,500.

NATHANIEL C. ALFORD (Rep)., of Livermore, was born in Hope, Knox county, Maine, November 29, 1834; received a common school education; came to Colorado in June, 1859, and is by occupation a stock raiser. In October, 1876, he was elected to the House of Representatives, receiving 373 votes against 286 for James Sullivan, Democrat.

Las Animas county has three Representatives. Population 10,000.

Urbano Chacon (Dem)., of Trinidad, was born in El Chanuzal, Taos county, New Mexico, May 25, 1851; was educated at St. Michael's College, Santa Fe, New Mexico. At the age of fifteen he was assistant postmaster at Santa Fe, and afterwards learned the printing business in the office of the SANTA FE NEW MEXICAN, and was subsequently connected with the SANTA FE POST; was interpreter and translator for the agency of the Pueblo Indians; was teacher at Plaza Del Alcade, Rio Arriba county, and for the Indians of the Pueblo of Tesuque. He was married November 28, 1871, at Santa Fe, to a Mexican lady; came to Colorado October 4, 1873, and is now editor and proprietor of the COLORADO PIONEER and the Spanish paper, EL EXPLORADOR. In 1876 he was elected to the first State Legislature, receiving 1,148 votes against 669 for L. M. Peterson, Republican.

MARIANO LARRAGOITE (Dem)., of Trinidad, was born in Santa Fe, New Mexico, March 28, 1847; received a common school education. At the age of nineteen he was elected to the Legislature in New Mexico, and obliged to resign his seat on account of his youth; came to Colorado in March, 1869; is an attorney-at-law and farmer; represented the county of Las Animas in the Territorial Legislatures of 1872 and 1874, and in October, 1876, he was elected to the first State Legislature, receiving 1,042 votes against 666 for J. A. Salazar, Republican.

DAVID F. WILKINS (Dem)., of Trinidad, was born in Zanesville, Muskingum county, Ohio, November 12, 1837; was educated at the Zanesville Academy; removed to New Mexico, where he resided eighteen years; came to Colorado in 1857; was married to a Spanish lady of New Mexico; is by profession a teacher of the Spanish language, and reputed to be the ablest interpreter in the West; is also a stock raiser and dealer; was elected to the House of Representatives in 1876, receiving 1,147 votes against 738 for Eldridge B. Sopris, Republican.

Park County. Population 4,500.

ZIBA SURLES (Rep)., of Grant, was born in Kingston, Luzerne county, Pennsylvania, November 5, 1811; received a common school education; removed to the West in 1833, and settled in Huron county, Ohio, in 1834; migrated to California in 1862, thence to Oregon and Idaho, and was in Montana at the time of its organization into a Territory; came to Colorado November 7, 1864; is a miner by occupation; was Assessor of Summit county in 1866 and 1867; represented the county of Summit in the Territorial Legislature of 1866–7, and was Sergeant-at-Arms of the Council in 1868; was Justice of the Peace of Park county for five years. In 1876 he was elected to the House of Representatives, receiving 460 votes against 404 for Capt. W. B. White, Democrat.

Pueblo county has two Representatives. Population 6,500.

JAMES M. CARLILE (Dem)., of Pueblo, was born in Leesburgh, Carroll county, Ohio; received a common school education; came to Colorado in 1860; is a railroad contractor, also a stock raiser and dealer. In October, 1876, he was elected to the House of Representatives of the first General Assembly, receiving 759 votes against 496 for Charles Wildeboor, Republican.

GARRETT LANKFORD (Dem)., of Boonville, was born in Marshall, Saline county, Missouri, November 26, 1838; received a common school education; is by occupation a stock raiser. During the war he performed military service for four years in the Trans-Mississippi Department under General Joe Shelby. In 1876 he was elected to the first State Legislature, receiving 725 votes against 541 for W. K. Carlile, Republican.

Rio Grande county. Population 4,000.

ALVA ADAMS (Dem)., of Del Norte, was born in Blue Mounds,

Iowa county, Wisconsin, May 14, 1850; graduated at Albion Academy in 1870 and came to Colorado in 1871; is a hardware merchant; the standard bearer of the Democracy and the cerberus of the treasury. In October, 1876, he was elected from a Republican county to the House of Representatives of the first State Legislature, receiving 383 votes against 331 for Michael Breen, Republican

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Saguache county. Population 2,500.

ISAAC GOTTHELF, (Rep)., of Saguache, was born in Huemme, Germany, May 26, 1844; received a common school education; came to Colorado in November, 1867, and has since that time been engaged in mercantile pursuits and stock raising; is President of the Saguache and San Juan toll road; was elected to the House of Representatives of the first General Assembly in October, 1876, receiving 284 votes against 195 for John Lawrence, Democrat.

San Juan county. Population 4,000.

CHARLES H. MCINTYRE, (Rep), of Animas Forks, was born in Sheffield, Berkshire county, Massachusetts, August 6, 1837; received a common school education; removed to Minnesota where he resided for ten years, thence to Dakota where he remained seven years. While in Dakota he was elected to the Council of the Territorial Legislature of 1867, was re-elected in 1869 and again elected in 1871; came to Colorado in 1873; is largely engaged in mining and milling operations; was elected to the House of Representatives of the first State Legislature, in October, 1876, receiving 381 votes against 327 for A. W. Begole, Democrat.

Summit County. Population 2,000.

GEORGE W. WILSON (Rep)., of Breckinridge, was born in Rock Island, Rock Island county, Illinois, December 4, 1845; received a common school education; is a miner; came to Colorado in June, 1867. In 1876 he was elected to the House of Representatives of the first General Assembly, receiving 212 votes against 160 for Charles A. Finding, Democrat.

Weld county has two Representatives. Population 6,000.

ABNER LEONARD (Rep)., of Evans, was born in Unity, Columbiana county, Ohio, January 10, 1823. At the age of fourteen moved

to Hancock county, Ohio, in which place he resided thirty-seven years engaged in teaching, farming and dealing in live stock; came to Colorado in 1874; is a capitalist; was elected to the House of Representatives of the first State Legislature, in October 1876, receiving 728 votes against 507 for W. G. Winbourn, Democrat.

DAVID F. RAINEY, (Rep)., of Platteville, was born in Cedarville, Green county, Ohio, December 24, 1832; received a common school education; removed to California, where he engaged in mining and dealing in lumber; came to Colorado in June, 1860; is by occupation a stock raiser and farmer. In 1876 he was elected to the House of Representatives of the first State Legislature, receiving 782 votes against 451 for Alvard White, Democrat.